THE LAWS & ACTS OF THE General Assembly FOR Their Majesties Province OF NEW-YORK,

As they were Enacted in divers Sessions, the first of which began *April*, the 9th, *Annoq; Domini*, 1691.

At *New-York*,
Printed and Sold by *William Bradford*, Printer to their Majesties, King *William* & Queen *Mary*, 1694.

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FOraſmuch as the Good and Quiet, Eaſe, Profit, Benefit and Advantage of the Inhabitants within this Province doth chiefly conſiſt in, and altogether rely and depend upon their bearing true Faith and Allegiance unto their Majeſties Crown of *England*, which is, and can only be the ſupport and Defence of this Province. And whereas the late haſty and inconſiderate Violation of the ſame, by the ſetting up a Power over Their Majeſties Subjects, without Authority from the Crown of *England*, hath vitiated and debauched the Minds of many People, *&c.* and hath alſo brought great Waſte, Trouble and Deſtruction upon the good People of this Province, their Majeſties Loyal Subjects. For the Prevention whereof, in time to come, Be it therefore Enacted and Ordained by the Governour and Council, and Repreſentatives met in General Aſſembly, And it is hereby Publiſhed, Declared, Enacted and Ordained, by the Authority of the ſame, That there can be no Power and Authority held and exerciſed over their Majeſties Subjects in this their Province and Dominion, but what muſt be derived from their Majeſties, their Heirs and Succeſſors. And we do hereby Recognize and Acknowledge, That Their Majeſties, *William* and *Mary*, are, and as of Right they ought to be by the Laws of the Realm of *England*, our Leige Lord and Lady, KING and QUEEN of *England*, *France* and *Ireland*, and the Dominions thereunto belonging, *&c.* That thereby their Princely Perſons are only inveſted with the Right to Rule this their Dominions and Province, and that none ought or can have Power, upon any Pretence whatſoever, to uſe or exerciſe any Power over Their Subjects in this Province, but by their Immediate Authority under Their Broad Seal of Their Realm of *England*, as now eſtabliſhed.

And be it further Enacted by the Authority aforeſaid, That whatſoever Perſon or Perſons ſhall by any manner of way, or upon any pretence whatſoever, endeavour by Force of Arms or otherways, to diſturb the Peace, Good and Quiet of this Their Majeſties Government, as it is now eſtabliſhed, ſhall be deemed and eſteemed as Rebels and Traytors unto Their Majeſties, and incur the Pains, Penalties and Forfeitures, as the Laws of *England* have, for ſuch Offences, made and provided.

An Act for Eſtabliſhing Courts of Judicature for the Eaſe and Benefit of each reſpective City, Town and County within this Province.

WHereas the orderly Regulation, and the eſtabliſhment of Courts of Juſtice throughout this Province, as well in the reſpect of Time as Place, doth tend very much to the Honour and Dignity of the Crown, as well as to the Eaſe and Benefit of the Subject, Be it Enacted by the Governour & Council, and Repreſentatives convened in General Aſſembly, and it is hereby Enacted and Ordained by the Authority of the ſame, That every Juſtice of the Peace that reſides within any Town or County within this Province, are hereby fully impowered and authorized to have Cognizance of all Cauſes, Caſes of Debts and Treſpaſs to the value of Forty Shillings, or under; which Cauſes and Caſes ſhall be heard, tryed and finally determined without a Jury, by every Juſtice of the Peace that reſides within any Town or County within this Province, he taking to his Aſſiſtance, at the time of his hearing and determining ſuch Cauſe or Caſes of Debt and Treſpaſs to the value of Forty Shillings and under, one of the Free-holders of the Town and place where the cauſe of Action doth ariſe. The Proceſs of warning, ſhall be by a ſummons under the Hand of the Juſtice, directed to the Conſtable of the Town or Precinct, or any deputed by him, where the Party complained againſt doth live. Which Summons being Perſonally ſerved, or left at the Defendants Houſe two days before the Day of Hearing of the Plaint, ſhall be ſufficient Authority to and for the ſaid Juſtice, aſſiſted with one of the Free-holders, as aforeſaid, to proceed on ſuch Cauſe and Cauſes, and determine the ſame in the Defendants abſence; and to grant Execution thereon, againſt the Defendants Perſon, or for want thereof his Eſtate, which the Conſtable of the Town or Precincts, or his Deputy, ſhall and may ſerve.

Always provided, and be it further Enacted by the Authority aforeſaid, That if the Plantiff or Defendant ſhall deſire a Jury, it ſhall be allowed, but at the proper Coſt and Charges of the Perſon deſiring the ſame.

And for the Increaſe of Virtue and Diſcouraging of Evil-doers throughout this Province, Be it further Enacted by the Authority aforeſaid, That there ſhall be held and kept in every reſpective City and County within this Province (at the Times and Places hereafter named and expreſſed) a Court of Seſſions of the Peace, that is to ſay,

For the City and County of *New-York*, at the City Hall of the ſaid City four times every Year, *viz.* The firſt Tueſday in *May*, the firſt Tueſday in *Auguſt*, the firſt Tueſday in *November*, and the firſt Tueſday in *February*.

For

For the City and County of *Albany*, at the City Hall of the ſaid City, the firſt Tueſday in *June*, the firſt Tueſday in *October*, and the firſt Tueſday in *February*.

For *Weſtcheſter* at *Weſtcheſter* the firſt Tueſday in *June*, and the firſt Tueſday in *December*.

For *Ulſter*, at *Kingſton* the firſt Tueſday in *September*, and the firſt Tueſday in *March*.

For the County of *Richmond*, at the Court-Houſe, the firſt Tueſday in *September*, and the firſt Tueſday in *March*.

For *Kings County* at *Flatbuſh* (alias *Midwout*) the ſecond Tueſday in *May*, and the ſecond Tueſday in *November*.

For *Queens County*, at *Jamaica*, the third Tueſday in *May*, and the third Tueſday in *September*.

For *Suffolk* County, at *Southold*, the laſt Tueſday in *September*.

And the laſt Tueſday in *March* at *Southampton*. *Orange* County to be annixed to the County of *New-York*, and *Dutches County* to the County of *Ulſter*.

Which Seſſions of the Peace ſhall only hold and continue for the ſpace and time of two Dayes, and no longer.

And for the more regular and beneficial Diſtribution of Juſtice to the Inhabitants of each reſpective City and County within this Province, Be it further Enacted by the Authority aforeſaid, That there be kept and held a Court of Common Pleas in each reſpective City and County within this Province, at the Times and Places hereafter named and expreſſed: That is to ſay, At ſuch places in each reſpective County as the ſaid Court of Seſſions are to be kept; and to begin the next day after the Seſſions terminates, and only to hold and continue for the ſpace and time of two days, and no longer; And that there be one Judge, with three Juſtices, in each County, Appointed and Commiſſionated to hold the ſame Court of Pleas; Three whereof to be a Quorum. And that the ſeveral and reſpective Courts, hereby eſtabliſhed, ſhall have Juriſdiction to Hear, Try, and finally to Determine all Actions or cauſe of Actions, and all Matters, and Things, and Cauſes Tryable at the Common Law, of what Nature or Kind ſoever.

Provided alwayes, and it is hereby enacted, That there ſhall not be any Appeal, or Removal by *Habeas Corpus*, of any Perſon, or of any Action or Suit, or of any Judgment or Execution, that ſhall be determined in this Court to the value of Twenty Pounds or under, any thing contained herein to the contrary in any ways notwithſtanding.

Provided alwayes, and it is hereby Enacted, That the Courts of Mayor and Aldermen of the reſpective Cities of *New York* and *Albany*, ſhall have in each of their reſpective Cities the Power and Authority to Hear, Try, and finally to Determine all ſuch Actions and Suits, as is commonly cognizable before them; from which final Determination, there ſhall not be any Appeal or Removal by *Habeas Corpus*, of any Perſon, or of any Action or Suit, or of any Judgment or Execution, to the

the value of Twenty Pounds, or under, any thing contained herein to the contrary in any ways notwithſtanding.

To which reſpective Court of Common Pleas there ſhall belong, and be appointed and commiſſionated for that purpoſe, one Clark of the Court, to draw, enter and keep the Records, Declarations, Pleas, and Judgments, there to be had and made. And one Marſhal or Cryer of the Court, to call the Jurors, and proclaim the Commands and Orders of the Court.

And for the more regular Proceedings in the ſaid Court, all Proceſſes and Writs, of what Nature ſoever, for the Command of Perſons to appear, and to execute the Judgments and Executions of the reſpective Courts aforeſaid, ſhall be directed to the reſpective Sheriffs of each City and County within this Province, and executed by them, their Under-Sheriffs, or Deputy or Deputies. And all Proceſſes and Writs for Actions betwixt Party and Party in the ſaid Court, ſhall iſſue out of the Office of the Clark of the Court in each City and County reſpectively, ſigned *Per Curiam.*

And that Their Majeſties Subjects inhabiting within this Province, may have all the good, proper and juſt wayes and means for the ſecuring and recovering their juſt Rights and Demands within the ſame, Be it further Enacted, and it is hereby Enacted and Ordained, by Authority aforeſaid, That there ſhall be held and kept a Supream Court of Judicature, which ſhall be duely and conſtantly kept at the City of *New-York*, and not elſe-where, at the ſeveral and reſpective Times hereafter mentioned. And that there be five Juſtices at leaſt appointed and commiſſionated to hold the ſame Court, Two whereof, together with one chief Juſtice, to be a Quorum. Which Supream Court is hereby fully Impowered and Authorized to have Cognizance of all Pleas, Civil, Criminal and Mixt, as fully and amply to all intents and purpoſes whatſoever, as the Courts of *Kings Bench*, *Common Pleas* and *Exchequer*, within Their Majeſties Kingdom of *England*, have, or ought to have. In and to which Supream Court all and every Perſon and Perſons whatſoever, ſhall or may, if they ſhall ſo ſee meet, commence or remove any Action or Suit, the Debt or Damage laid in ſuch Action or Suit being upwards of Twenty Pounds, and not otherwiſe; or ſhall or may by Warrant, Writ of Error, or *Certiorari*, remove out of any of the reſpective Courts of Mayor and Aldermen, Seſſions and Common Pleas, any Judgment, Information or Indictment there had or depending; and may correct Errors in Judgment, or Reverſe the ſame, if there be juſt cauſe. Provided always, That the Judgment removed ſhall be upwards of the value of Twenty Pounds.

Always provided, and be further Enacted by the Authority aforeſaid, That this Supream Court ſhall be duely and conſtantly kept once every ſix Moneths, and no oftner; That is to ſay, On the firſt Tueſday of *October*, and on the firſt Tueſday of *April* annually, and every Year, at the City Hall of the ſaid City of *New-York*; provided they ſhall not ſit longer than eight dayes.

And

And be it further Enacted by the Authority aforeſaid, That it ſhall not be lawful for any Perſon or Perſons whatſoever, appointed, or elected, or commiſſionated to be a Juſtice or Judge of the aforeſaid Courts, to execute or officiate his or their ſaid place or Office until ſuch Time he or they ſhall reſpectively take the Oathes appointed by Act of Parliament, to be taken in ſtead of the Oathes of Allegiance and Supremacy, and ſubſcribe the Teſt in open Court.

And be it further Enacted by the Authority aforeſaid, That all and every of the Juſtices or Judges of the ſeveral Courts before-mentioned, be, and are hereby ſufficiently impowered to make, order and eſtabliſh all ſuch Rules and Orders, for the more orderly practiſing and proceeding in their ſaid Courts, as fully and amply to all intents and purpoſes whatſoever, as all or any of the ſaid Judges of the ſeveral Courts of the *Kings Bench*, *Common Pleas* and *Exchequer* in *England* legally do.

Provided alwayes, and be it further Enacted by the Authority aforeſaid, That no Perſons Right or Property ſhall be by any of the aforeſaid Courts determined, except where matters of Fact are either acknowledged, or paſſeth by the Defendants Fault, for want of Plea or Anſwer, Unleſs the Fact be found by the Verdict of Twelve Men of the Neighbourhood, as it ought of Right to be done by the Law.

Be it further Enacted by the Authority aforeſaid, That there ſhall be a *Court of Chancery* within this Province, which ſaid Court ſhall have Power to Hear and Determine all Matters of Equity, and ſhall be eſteemed and accounted, *The High Court of Chancery* of this Province.

And be it further Enacted by the Authority aforeſaid, That the Governour and Council be the ſaid *High Court of Chancery*, and hold and keep the ſaid Court; and that the Governour may depute, nominate and appoint, in his ſtead, a Chancellor, and be aſſiſted with ſuch other Perſons of the Council as ſhall by him be thought fit and convenient, together with all neceſſary Officers, Clerks, and Regiſters, as to the ſaid High Court of Chancery are needfull.

Provided alwayes, and it is hereby further Enacted by the Authority aforeſaid, That any Free-holder, Planter, Inhabitant or Sojourner within this Province, may have Liberty, if he or they ſee meet, to make his or their Appeal or Appeals, from any Judgment obtained againſt him or them, in caſe of Error, in the ſeveral Courts aforeſaid, in ſuch manner and form as is hereafter expreſſed, That is to ſay, From the Court of Mayor and Alderman, and Courts of Common Pleas, To the Supream Court, for any Judgment above the value of Twenty Pounds; And from the Supream Court at *New-York*, to the Governour and Council, for any Judgment above the value of One Hundred

Pounds; And from the Governour and Council To their Majeſties Council, for any Decree or Judgment above the Value of Three Hundred Pounds, as in Their Majeſties Letters Patents to his Excellency doth and may more fully appear. Alwayes provided, That the Party or Parties ſo Appealing, ſhall firſt pay all Coſt of ſuch Judgment or Decree from which the Appeal ariſeth, and enter into Recognizeance, with two ſufficient Sureties, for double the value of the Debt, Matter or Thing recovered or obtained by Judgment or Decree againſt him or them, to the ſaid Court from which they Appeal, *That they will proſecute the ſaid Appeal or Appeals with Effect, and make Return thereof within Twelve Months after the ſaid Appeal or Appeals here made.* And if Default happen thereon, then Execution to iſſue out upon the Judgment, againſt the Party, or their Sureties, in courſe, without any *Scire facias.* Provided alwayes, That the eſtabliſhing of theſe Courts ſhall not be or remain longer in force than for the time and ſpace of two Years, and until the end of the ſitting of the next Aſſembly after the expiration of the ſaid two Years.

An Act for the Settling, Quieting and Confirming unto the Cities, Towns, Mannours and Free-holders within this Province, their ſeveral Grants, Patents and Rights reſpectively.

FOraſmuch as the many Changes, Alterations and Diſturbances that have been lately given unto their Majeſties Subjects inhabiting within this their Province, *&c.* hath and doth very much diſcourage the ſettling, improving and the growth and ſtrength thereof; and that it is now abſolutely neceſſary for the quieting and ſatisfying their Majeſties good Subjects within the ſame, that the Rights and Priviledges formerly held by and granted to the reſpective Cities, Towns, Mannors and Free-holders within this Province, *&c.* ſhould be now ratified and confirmed,

Be it therefore Enacted by the Governour, Council, and Repreſentatives convened in General Aſſembly, And it is hereby Enacted and Declared by the Authority of the ſame, That all the Charters, Patents, Grants made, given and granted, and well and truly executed under the Seal of this *Province*, conſtituted and authorized by their late and preſent Majeſties, the Kings of *England*, and Regiſtered in the Secretary's Office, unto the ſeveral and reſpective Corporations or Bodies Politick of the Cities, Towns and Mannors, and alſo to the ſeveral and reſpective Free-holders within this Province, are and ſhall forever be deemed, eſteemed and reputed good and effectual Charters, Patents and Grants authentick in the Law, againſt their Majeſties, their Heirs,

and

and Succeſſors forever, notwithſtanding of the want of Forms in the Law, or the Non-feizance of any Right, Priviledge, or Cuſtom, which ought to have been done heretofore by the Conſtitutions and Directions contained in the reſpective Charters, Patents and Grants aforeſaid.

And be it further Enacted by the Authority aforeſaid, That all the Charters, Patents and Grants, made, given and granted, as aforeſaid, unto all and every the ſeveral and reſpective Corporations or Bodies Politick of the Cities, Towns and Mannors, and their Succeſſors, and alſo unto all and every the reſpective Free-holders, their Heirs & Aſſigns forever within this Province, are to all intents and purpoſes whatſoever hereby Ratified and Confirmed, To Have, Hold, Exerciſe, Occupy, Poſſeſs and Enjoy all their, and every of their former Rights, Cuſtoms, Prerogatives, Priviledges, Preheminencies, Practiſes, Immunities, Liberties, Franchiſes, Royalties and Uſages whatſoever, in as full and ample manner, as if none of theſe Changes, Alterations, Diſturbances, want of other Forms in the Law, or the Non-feizance of any Rights, Priviledges or Cuſtoms of any of the Corporations aforeſaid, had never happened, or been neglected, any thing herein contained, or in any other Law to the contrary in any wiſe notwithſtanding. Provided, That nothing herein contained ſhall be conſtrued or taken to bar any perſon or perſons of his or their former and juſt Right, or pretences to any Houſe, Tract or parcel of Land within this Province. Alwayes provided, That he or they that have any ſuch juſt Right or Pretence, do make his or their Claim within the ſpace of five Years next after the date hereof. And alſo provided, That nothing herein contained ſhall be intended or conſtrued to the prejudice or hindrance of the Title or Claim of any Perſon under Age, *Feme Covert*, *Non Compos Mentis*, Impriſonment, or beyond the Sea.

An Act for the enabling each reſpective Town within this Province to Regulate their Fences and Highways, and make prudential Orders for their Peace and orderly Improvements.

WHereas the reſpective Towns within this Province, *&c.* are ſo circumſtanced as to have different and diſtinct wayes in their Improvements of Tillage and Paſturage, and that it is altogether neceſſary that they may be qualified and made capable in the Law to make ſuch prudential Rules and Orders for the better Improvement of their reſpective Towns, and the Regulating their Fences and Highwayes accordingly. Be it therefore Enacted by the Governour and Council, and the Repreſentatives met in General Aſſembly, and by the Authority

Authority of the ſame, That the Free-holders of every reſpective Town with this Province are hereby Impowered and Authorized to meet and aſſemble themſelves together at ſuch times and places as are appointed and expreſſed in their reſpective Grants and Patents, and when ſo aſſembled to make, eſtabliſh, conſtitute and ordain, from time to time, ſuch prudential Orders and Rules, for the better improving of their reſpective Lands in Tillage, Paſturage, or in any other reaſonable way, as ſhall by the Majority of the Free-holders, ſo aſſembled or convened as aforeſaid, be thought good and convenient.

And alſo, when the Free-holders of each reſpective Town within this Province, *&c.* are aſſembled, as aforeſaid, they are hereby further authorized and impowered to make choſe, and nominate in each of their reſpective Towns, annually, and once every Year, Three Perſons to be Surveyors and Orderers of the Work for the laying out and the Amendment of the High-wayes and Fences within the Bounds and Limits of their reſpective Towns within this Province. Which Perſons, ſo Nominated and choſen, ſhall take upon them the ſaid Office, and are hereby impowered to lay out, ſet forth, regulate and amend all ſuch High-wayes and Fences as ſhall be eſtabliſhed, in ſuch manner, form and way as ſhall be agreed upon and directed by the Majority of the Free-holders of each reſpective Towns, as aforeſaid. Alwayes provided, That ſuch Orders as are made, conſtituted and ordained, ſhall be kept and Regiſtered in the Town's Books for that purpoſe, and conſented to and approved by the next Court of Seſſions of the Peace in the Counties where the reſpective Towns are, otherwiſe to be of no Force nor Virtue whatſoever.

An Act for Defraying of the Publick and Neceſſary Charge throughout this Province, and for maintaining the Poor, and preventing Vagabonds.

FOraſmuch as it is neceſſary that each reſpective County within this Province ſhould have Power to eſtabliſh a Rate, for the Defraying of their reſpective and publick Charge, Be it therefore Enacted by the Governour and Council, and Repreſentatives convened in General Aſſembly, and by the Authority of the ſame, That there be elected and choſen annually, and once every Year, in each reſpective Town within this Province, Two Free-holders, who are hereby impowered to aſſeſs and eſtabliſh a certain Rate upon each of the Free-holders and Inhabitants within their Reſpective Towns; which Aſſeſment or certain Rate, ſhall upon a certain day, as the Inhabitants of the reſpective Towns ſhall appoint, be delivered to a certain Free-holder, which ſhall be likewiſe choſen in each reſpective Town aforeſaid, to ſuperviſe and examine the publick and neceſſary Charge of each reſpective County. Which

Perſons

Perſons, ſo duely choſen, ſhall elect and conſtitute a certain Treaſurer for each reſpective County, which Treaſurer ſhall make ſuch payments for the defraying of all the publick and neceſſary Charges of each reſpective County, as ſhall be appointed and ordered by the Perſons ſo choſen for the ſuperviſing the publick Charges of each reſpective County.

And be it further provided by the Authority aforeſaid, That any ſuch Aſſeſment or Rate, made, ordained or appointed, by the Perſons ſo choſen, ſhall be collected and gathered by the Conſtable, or any other Perſon choſen or appointed thereunto; as alſo, if any perſon or perſons ſhall refuſe to pay the ſaid Aſſeſment or Rate, that it may be lawful for them that are choſen as aforeſaid, and they are hereby Authorized to iſſue out their Warrants to the Conſtable, under their Hands and Seals, or any other Perſons appointed by them, to collect and levy the ſame by Diſtreſs on their Goods and Chattels.

And be it further Enacted by the Authority aforeſaid, That the Treaſurer of each reſpective County within this Province, ſhall keep a diſtinct Book of Accompts, containing a particular Accompt of all the Money, Rates and Aſſeſments aforeſaid, and alſo of all Diſburſments and Payments by warrant aforeſaid, and once every Year he ſhall bring in his Accompts, to ſuch perſons as ſhall be appointed for the audit of the ſame, under the Penalty of one Hundred Pounds, except prevented by Death or Sickneſs.

And further, whereas it is the Cuſtom and Practice of their Majeſties Realm of *England*, and all the adjacent Collonies in *America*, That every reſpective Town and Pariſh doth take care and provide for the Poor, who do inhabit in their reſpective Precincts, as aforeſaid, Therefore it is Enacted by the Authority aforeſaid, That for the time to come, the reſpective Free-holders, elected and choſen as aforeſaid, in every Town, Pariſh and Precinct, ſhall make proviſion for the maintenance and ſupport of their Poor reſpectively.

And for the Prevention and Diſcouragement of Vagabonds and Idle Perſons to come into this Province, from other parts, and alſo from one part of the Province to another, Be it Enacted by the Authority aforeſaid, That all Perſons that ſhall come to inhabit within this Province, or any part or place thereof, and hath not a viſible Eſtate, or hath not a manual Occupation, ſhall, before he be admitted an Inhabitant, give ſufficient Surety, *That he ſhall not be a burden or Charge to the reſpective place he ſhall come to inhabit.* Which Security ſhall continue for two Years.

Provided alwayes, That all thoſe that have manual Crafts or Occupations, may at all times come and inhabit in any place within this Province, and be alwayes admitted, provided he maketh Application within eight days after his arrival in any City, Town or County, as aforeſaid, unto ſuch perſon or perſons as are appointed for Governing the reſpective parts.

And alſo, all Veſſels that ſhall bring any Paſſengers into this Province, the Maſters of ſuch Veſſels ſhall within four and twenty Hours after arrival, bring a Liſt of ſuch Paſſengers he brings into the Province, with their Quality and Conditions, unto the chief Magiſtrates of each reſpective City, Town or County, as aforeſaid, under the Penalty of Ten Pounds currant Money of this Province.

Alwayes provided, That if any Veſſel bring in any Perſon as aforeſaid, not able to give Surety for their well demeanour, that then, and in ſuch caſe, That the Maſter of ſuch Veſſel or Veſſels ſhall be obliged to Tranſport all ſuch to the place from whence they came, or at leaſt out of this Province and Dependencies.

And alſo, if any Vagabonds, Beggars, or others, remove from one Town to another, and cannot give Security, as aforeſaid, It ſhall be lawful to the Conſtable to return ſuch Perſons to the Town from whence they came.

An Act for ſettling the Militia.

WHereas the preſent State and Condition of this Province doth of neceſſity require, that the Inhabitants thereof ſhould be well armed, and trained up in *Art Military*, as well for the Honour and ſervice of their moſt excellent Majeſties, as the Preſervation of their own Lives and Fortunes, Be it Enacted and Ordained by the Governour and Council, and Repreſentatives convened in General Aſſembly, And it is hereby Enacted and Ordained by the Authority of the ſame, That no Perſon whatſoever from Fifteen to Sixty Years of Age remain unliſted by themſelves or Maſters, Miſtriſſes or Imployers, under the Captains in their reſpective places of abode, in Foot or Horſe, the ſpace of one Kalander Moneth after their arrival, or coming to reſide or ſojourn in any place within this Province, on Penalty of Twenty Shillings, and ſo for every Moneth ſuch Perſon ſhall remain unliſted. And that every Foot Souldier be provided with a well fixed Muſquet or Fuſee, or if the Officer ſo appoint, with a good Pike, or Sword, or Lance and Piſtol; each Muſquetcer ſix Charges of Powder, and one Cartouch Box, and ſo ſhall appear when and where appointed, upon penalty of five Shillings for his default in not appearing, and three Shillings for want of each Charge of Powder, Gun, Pike, Sword, Piſtol or Cartouch Box, ſo as the whole Penalty for any Perſon at one time exceed not ten Shillings. And that every Souldier belonging to the Horſe, ſhall, when and where commanded, appear, and be provided with a good ſerviceable Horſe of his own, covered with a good Saddle, with Holſters, Breſt-plate and Crupper, and a Caſe of good Piſtols, Hanger, Sword or Rapier, and half a pound of Powder, with twelve ſerviceable Bullets, on penalty of Ten Shillings for each times abſence,

and

and five Shillings for default of each of the particulars above mentioned, ſo as the whole Penalty for one time exceed not fifteen Shillings. And that every Foot Souldier ſhall have at his Habitation and Abode one pound of good Powder, and three pound of ſizeable Bullets. And every Trooper have at his uſual place of Abode, a well fixed Carbine, with Belt and Swivel, and two *Pounds* of fine *Powder*, with ſix pounds of ſizeable Bullets, on penalty of ten Shillings for each default; and that each of them ſhall bring the ſame into the Field, when commanded, upon Penalty of anſwering the ſame at a Court Martial.

And for the ſupply of the Troops of Horſe in the Cities of *New-York* and *Albany*, and County of *Ulſter*, it ſhall be in the *Power* of the Collonol or chief Officer of the Militia of the City of *New-York*, County of *Albany*, and County of *Ulſter*, for the time being, whenſoever any of the ſaid Troops ſhall not compleat the Number of Fifty; To preſent double the Number, inſtead of ſuch as are dead, removed, or wanting, out of the principal Inhabitants and Gentlemen of the reſpective Cities and Counties aforeſaid, unto the Governour for the time being, who from time to time may lift and order ſo many of them to be of the ſaid reſpective Troops, as may compleat the Number of Fifty for their Majeſties ſervice, and the ſecurity of this *Province*. And every Perſon ſo preſented to the Governour for the time being, and by him liſted and ordered to be of the ſaid reſpective Troops, ſhall be, and are hereby obliged to ſerve in the ſaid reſpective Troops, upon the Penalty of five Pounds. Provided nevertheleſs, That nothing herein be conſtrued to extend to force or compell any Perſon that hath or ſhall be in Commiſſion in this Province, to liſt themſelves in any Company or Troop, or to ſerve in any Capacity beneath their former Commiſſion, unleſs ſuch perſon hath been degraded by a Court Martial.

And it is further Enacted by the Authority aforeſaid, That no perſon, ſo liſted as aforeſaid, ſhall depart thence, without a Diſcharge from the Commander of the Company or Troop, where liſted, on Penalty of Twenty Shillings. And that no Commander of any Company or Troop ſhall refuſe, when deſired, to give a Diſcharge in Writing, to any that is removing his Abode out of the Precincts or Province, under the penalty of five *Pounds*.

And whereas at the City of *New-York*, Guards and Watches are every Night ſet and appointed, Be it therefore Enacted and Ordained by the Authority aforeſaid, That it ſhall and may be lawful for any perſon or perſons liſted in the Reigment of the City and County of *New-York*, (except on Extraordinary Occaſions) to put a well Armed Man in their Room, who, if approved of by the Captain of the Guard, ſhall excuſe his or their Abſence. Provided always, That the Commiſſion Officers and Serjants of the reſpective Companies, be obliged in their reſpective Turns to mount the Guard in their proper *Perſons*. And that no perſon

Perſon ſhall refuſe to be a Serjant, Corporal or Drummer in the Company wherein he is liſted, under the penalty of Forty Shillings.

And be it further Enacted and Ordained by the Authority aforeſaid, That all Captains of Companies of Foot, or Troops of Horſe, ſhall within twelve Moneths from and after the Publication of this Act, provide for their Companies and Troops, Drums and Colours, Trumpets, Trumpeters, and Banners, at the proper Charge of the reſpective Officers, Troops and Companies, under the Penalty of Ten Pounds, and ſo for every four Months ſuch Commanders ſhall remain unprovided. And that all the Collonels of the reſpective Regiments, or next chief Officers in their abſence, ſhall once every Year at leaſt iſſue out their Warrants to their Inferiour Officers, commanding them, *To make diligent ſearch and inquiry in their ſeveral Precincts, that all be duely Liſted, Armed and Equipped*; And to return to them ſuch Defects as ſhall be found, to the end the ſame may be reformed, on penalty of Twenty Pounds. And and that once every three Moneths, or oftner, as Occaſion ſhall require, and command be given by the Captain General or Commander in chief, the ſeveral Companies and Troops in each Regiment, ſhall meet at the next and moſt convenient places to he appointed by the reſpective Officers, to be then and there by them muſtered and exerciſed.

And it is hereby Enacted and Ordained by the Authority aforeſaid, That during the time the ſaid Officers and Souldiers are in Arms, they ſhall obſerve and keep all and every of the Laws and Articles of War, and give all due Obedience to their ſuperiour Officers: Which Laws and Articles the Captain General or Commander in chief, with Advice of a general Council of War, is to make and eſtabliſh, and the Commanders of the ſeveral Regiments to give out Copies of the ſaid Articles unto the reſpective Officers, that the ſame may be publickly read once every three Months unto the Souldiers, whilſt they are in Arms, that all Perſons may the better know and obſerve their Duties. And if it ſhall happen that any of the Officers or Souldiers, ſhall, when they are out of Arms, endeavour to take Revenge by force, for any thing his or their ſuperiour Officers lawfully did in purſuance of his or their Duty, and this Act, The ſaid Officers and Souldiers ſhall be brought to a Court Martial, and there puniſhed, as if the Offence had been done in Time of Service or Exerciſe; provided that the ſaid Puniſhment do not extend to Life or Limb.

And be it further Enacted by the Authority aforeſaid, That once every Year, or oftner, if thereunto commanded, each particular Captain ſhall give to his Field Officer, and the Field Officer to the Captain General or Commander in chief, fair written Rools of their reſpective Companies and Regiments. And if any Field Officer, Captain or other inferiour Officer or Souldier ſhall neglect, or contemn performing the lawful Commands of their reſpective ſuperiour Officers, he or they ſhall be puniſhed by Fine, Caſheering, or other Puniſhment, according to the

Diſcretion

Diſcretion of a Court Martial, which the Captain General, or the Commander in chief is to appoint and eſtabliſh. And the Orders of the ſaid Court Martial, are hereby declared to be binding in all Military Affairs.

And if any Perſon upon any Invaſion, or other publick Military Service, be wounded or diſabled, he ſhall be cured and maintained out of the publick Revenue.

And if any Perſon whatſoever ſhall be ſued, moleſted or impleaded for any thing lawfully commanded in the Execution and Purſuance of this preſent Act, he ſhall plead the general Iſſue, and give this Act in Evidence; and ſhall thereupon, if found for him, recover coſts of Suit, and Trible Damage.

Provided alwayes, and it is hereby Enacted and Declared by the Authority aforeſaid, That the ſeveral Fines and Forfeitures mentioned in this Act, ſhall be recovered and diſpoſed of as followeth, *viz.* That all ſuch as do relate to any Perſon under the degree of a Captain, ſhall be to the reſpective Captains, to defray the Charges of their Companies or Troops, and to be livied before the next Exerciſing day, by Diſtreſs and Sail of the Offenders Goods, by the Captains Warrant to the Serjant or Corporal; and if no Diſtreſs be found, the puniſhment to be by riding the Wooden Horſe, or being tyed Neck and Heels, not exceeding one Hour, at the Diſcretion of their Officers. But if the offender be a Servant, the Owners Goods ſhall be liable to the Diſtreſſes and Sales, as aforeſaid, ſo that Satisfaction may be made. And for all other Penalties mentioned in this Act, the ſame ſhall be levied by Diſtreſs and Sale of the Offenders Goods and Chattels, by the Proveſt Marſhal, by Warrant from the Captain General or Commander in chief, or the chief Field Officer, where ſuch Offendors are; one half thereof ſhall be to the Captain General, and the other half unto the ſaid Field Officers of that Regiment where the Offence is committed. And if the Fines that do relate to any Perſon under the degree of a Captain, ſhall not amount to a ſum ſufficient to defray the Charge of the Captains Companies or Troops, that then the over-plus wanting be levied upon the ſeveral Souldiers equally, by Warrant or Order of the Colloner or chief Officer of the Regiment, Troops or Companies.

And be it further Enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Commiſſion Officer, belonging to the Regiment of the City of *New-York*, under the degree of a Captain, in the abſence of the ſaid Captain, to grant Warrants of Diſtreſs againſt any Perſon whatſoever, that ſhall abſent themſelves from their Duty on the Night Guards, without ſending a ſufficient Perſon to ſerve and watch in their ſtead; which ſaid Warrants, ſo granted, ſhall be as effectual, to all intents and purpoſes whatſoever, as if they or any of them had been granted by the Captains themſelves.

Provided alwayes, and be it further Enacted and Declared by the Authority aforeſaid, That nothing in this Act contained be expounded, conſtrued or underſtood, to diminiſh, alter or abridge the Power of the Captain General or Commander in chief for the time being, but that in all Things and upon all Occaſions he may act as fully and freely, as Captain General and Commander in chief, to all intents and purpoſes, as if this Act had never been made, any thing in this Act to the contrary notwithſtanding.

And be it further Enacted by the Authority aforeſaid, That all Perſons liſted, as aforeſaid, ſhall readily attend and ſerve on the Watches when appointed, under the Penalty of Three Shillings for each default.

And it is alſo further Enacted by the Authority aforeſaid, That no Perſon whatſoever preſume to fire any ſmall Arms after Eight of the Clock at Night, unleſs in caſe of any Alarm, Inſurrection, or any other lawful Occaſion: And in either of the ſaid Caſes four Muſquets or ſmall Arms, diſtinctly fired, or where great Guns are, the firing of one great Gun, and two Muſquets or ſmall Arms, diſtinctly, and beating of a Drum ſhall be taken for an Alarm. And every perſon that ſhall neglect his Duty in taking and giving forward an Alarm, by firing, as aforeſaid, or ſhall be guilty of firing any ſmall Arms after Eight of the Clock at Night, unleſs as aforeſaid, ſhall be fined, or otherwiſe puniſhed, at the Diſcretion of a Court Martial, not extending to Life or Limb. And in caſe of ſuch Alarm every Souldier is immediately to repair armed to his Colours or Court of Guard, upon the penalty of Five Pounds.

And for the better Prevention of falſe Alarms, That no Captain, Maſter or Commander of any Ship or Veſſel riding at Anchor in any the Harbours, Ports or Bayes within this Province, or any other Perſon, fire any Gun after eight of the Clock at Night, under the Penalty of Forty Shillings for every Gun ſo fired, to be levied by Warrant from the chief Officer, not under the Degree of a Captain, who is hereby impowered to adminiſter an Oath, and give Judgment thereupon by Diſtreſs and Sale of the Offendors Goods; and for want of Diſtreſs the ſaid chief Officer is hereby impowered to commit ſuch Offendors to the Goal, there to remain until payment be made of the ſame. And that in caſe the ſaid chief Officer ſhall not perform his Duty therein, he ſhall forfeit ten Pounds, to be levied by Warrant from the Captain General or Commander in chief for the time being. Provided alwayes, That this clauſe ſhall in no ways concern or extend to any Captain or Officer of any of his Majeſties Ships of War, for their firing at ſetting of the Watch.

Provided alwayes, and it is hereby further Enacted and Declared by the

the Authority aforeſaid, That all Trumpeters and Drummers lately in ſervice, or that ſhall by the ſeveral Captains be put into that ſervice, during the Captains pleaſure, ſhall ſerve upon the Sallary of forty Shillings *per annum* for a Trumpeter, and twenty Shillings *per annum* for a Drummer, finding their Trumpet and Drum; and twenty Shillings for a Trumpeter, and ten Shillings for Drummer, if the Captain find them, upon Penalty of forty Shillings.

Provided alwayes, and it is hereby Enacted and Declared, That all the Members of Their Majeſties Council, Juſtices of the Peace, Sheriffs, Coroners, and all other Officers of Courts, Miniſters, School-Maſters, Phyſitians and Chyrurgions ſhall be free from being liſted in any Troop or Company within this Province, any thing contained herein to the contrary in any wiſe notwithſtanding.

An Act declaring what are the Rights & Priviledges of Their Majeſties Subjects inhabiting within Their Province of New-York.

FOraſmuch as the Repreſentatives of this their Majeſties Province of *New-York*, now convened in General Aſſembly, are deeply ſenſible of their Majeſties moſt gracious Favour, in reſtoring to them the undoubted Rights and Priviledges of *Engliſh-men*, by declaring Their Royal Will and Pleaſure in their Letters Patents to his Excellency, who they have appointed their Captain General and Governour in chief over this their Province, *That he ſhould, with the Conſent of Their Council, from Time to Time, as need ſhall require, to ſummon and call General Aſſemblies of the Inhabitants, being Free-holders, according to the Uſage of Their Majeſties other Plantations in* America: And that this moſt excellent Conſtitution, ſo neceſſary, and ſo much eſteemed by our Anceſtors, may ever continue unto Their Majeſties Subjects within this Their Province of *New-York*, The Repreſentatives of this Their Majeſties Province, convened in General Aſſembly, do with all Duty and Submiſſion humbly pray, That the Rights, Liberties, Priviledges and Franchiſes, according to the Laws and Statutes of their Majeſties Realm of *England*, may be confirmed unto Their Majeſties moſt Dutiful and Loyal Subjects inhabiting within this their Province of *New-York*, by Authority of this General Aſſembly, Be it Enacted by the Governour and Council, and Repreſentatives met in General Aſſembly, and it is hereby Enacted and Declared by the Authority of the ſame, That the Supream Legiſlative Power and Authority, under Their Majeſties, *William* and *Mary*, King and Queen of *England*, *&c.* ſhall forever be and reſide in a Governour in Chief and Council appointed

appointed by Their Majeſties, their Heirs and Succeſſors; and the People by their Repreſentatives met and convened in General Aſſembly. That the Exerciſe and Adminiſtration of the Government over the ſaid Province, ſhall, purſuant to Their Majeſties Letters Patents, be in the ſaid Governour in Chief and Council, with whoſe Advice and Conſent, or with at leaſt five of them, he is to Rule and Govern the ſame, according to the Laws thereof, and for any defect therein, according to the Laws of *England*, and not otherwiſe. That in caſe the Governour in Chief ſhould dye, or be abſent out of this Province, and that there be no Perſon within the ſaid Province commiſſionated by Their Majeſties, Their Heirs or Succeſſors, to be Governour or Commander in chief, That then the Council for the time being, or ſo many of them as are in the ſaid Province, do take upon them the Adminiſtration of the Government, and the Execution of the Laws thereof, and Powers and Authorities belonging to the Governour in chief and Council; the firſt in Nomination in which Council is to preſide until the ſaid Governour ſhall return and arrive in the ſaid Province again, (or the pleaſure of their Majeſties, their Heirs and Succeſſors be further known.

That for the good Government and Rule of their Majeſties Subjects, a Seſſion of a General Aſſembly be held in this Province once every Year. That every Free-holder within this Province, and Free-man in any Corporation ſhall have his free choice and Vote in the Electing of the Repreſentatives, without any manner of conſtraint or impoſition; And that in all Elections the majority of Votes ſhall carry it.

And by Free-holders is to be underſtood every one who ſhall have forty Shillings *per annum* in Free-hold.

That the Perſons to be elected to ſit as Repreſentatives in the General Aſſembly from time to time, for the ſeveral Cities, Towns, Counties, Shires, Diviſions or Mannors of this Province, and all places within the ſame, ſhall be according to the Proportion and Number hereafter expreſſed. That is to ſay,

For the City and County of *New-York* Four.
For the County of *Suffolk* Two.
For *Queens County* Two.
For *Kings County* Two.
For the County of *Richmond* Two.
For the County of *Weſtcheſter* Two.
For the County of *Ulſter* Two.
For the City and County of *Albany* Two.
For the Collony of *Ranſlaerwick* One.
And for *Dukes County* Two. And as many more as their Majeſties, their Heirs and Succeſſors ſhall think fit to eſtabliſh.

That all Perſons choſen and aſſembled, in manner aforeſaid, or the major part of them, ſhall be deemed and accounted the Repreſentatives of this Province in General Aſſembly.

That the Repreſentatives convened in General Aſſembly may appoint their own Times of meeting, during their Seſſions, and may adjourn their

their Houſe from time to time, as to them ſhall ſeem meet and convenient.

That the ſaid Repreſentatives, as aforeſaid convened, are the ſole Judges of the Qualifications of their own Members, and likewiſe of all Under-Elections; and may from time to time purge their Houſe, as they ſhall ſee occaſion.

That no Member of the General Aſſembly, or their Servants, during the time of their Seſſions, and whilſt they ſhall be going to and returning from the ſaid Aſſembly, ſhall be arreſted, ſued, impriſoned, or any way moleſted or troubled, nor be compelled to make anſwer to any Suit, Bill, Plaint, Declaration, or otherwiſe (caſes of High-Treaſon and Fellony only excepted.)

That all Bills agreed upon by the ſaid Repreſentatives, or the major part of them, ſhall be preſented unto the Governour and Council for their approbation and conſent. All and every which ſaid Bills, ſo approved of and conſented to by the Governour and Council, ſhall be eſteemed and accounted the Laws of this Province. Which ſaid Laws ſhall continue and remain in force until they be diſallowed by their Majeſties, their Heirs or Succeſſors, or expire by their own Limitation.

That in all caſes of Death or abſence of any of the ſaid Repreſentatives, the Governour for the time being ſhall iſſue out a Writ of Summons to the reſpective Cities, Towns, Counties, Diviſions or Mannors, for which he or they ſo deceaſed or abſent, were choſen, *Willing and Requiring the Free-holders of the ſame to elect others in their place and ſtead.*

That no Free-man ſhall be taken or impriſoned, or be deprived of his Free-hold, or Liberty, or free Cuſtoms, or Out-Lawed, or Exiled, or any other wayes deſtroyed; nor ſhall be paſſed upon, adjudged or condemned, but by the lawful Judgment of his Peers, and by the Law of this Province.

Juſtice nor Right ſhall be neither Sold, Denyed or Delayed to any Perſon within this Province.

That no Aid, Tax, Talliage or Cuſtom, Loan, Benevolence, Gift, Exciſe, Duty or Impoſition whatſoever ſhall be laid, aſſeſſed, impoſed, levied or required of or on any of Their Majeſties Subjects within this Province, *&c.* or their Eſtates, upon any manner of Colour or Pretence whatſoever, but by the Act and Conſent of the Governonr and Council, and Repreſentatives of the People in General Aſſembly met and convened.

That no Man, of what Eſtate or Condition ſoever, ſhall be put out of his Lands, Tenements, nor taken, nor impriſoned, nor diſinherited, nor baniſhed, nor any ways deſtroyed or moleſted, without firſt being brought to anſwer by due courſe of Law.

That a Free-man ſhall not be amerced for a ſmall Fault, but after the manner of his Fault, and for a great Fault after the greatneſs thereof, ſaving to him his Free-hold; and a Husband-man, ſaving to him his Wainage; and a Merchant, ſaving to him his Merchandize; and none of theſe Amercements ſhall be aſſeſſed, but by the Oath of Twelve

Honeſt and Lawful men of the Vicinage. Provided, the Faults and Miſdemeanours be not in Contempt of Courts of Judicature. All Tryals ſhall be by the Verdict of Twelve Men, and as near as may be Peers or Equals, and of the Neighbourhood of the place where the fact ſhall ariſe or grow, whether the ſame be by Indictments, Declaration, Information, or otherwayes, againſt the Perſon Offender or Defendant.

That in all Caſes Capital and Criminal, there ſhall be a grand Inqueſt, who ſhall firſt preſent the Offence, and then Twelve Good Men of the Neighbourhood to Try the Offender, who, after his Plea to the Indictment, ſhall be allowed his reaſonable Challanges.

That in all Caſes whatſoever, Bayl by ſufficient Sureties ſhall be allowed and taken, unleſs for Treaſon and Fellony, plainly and ſpecially expreſſed and mentioned in the Warrant of Commitment, and that the Fellony be ſuch as is reſtrained from Bayl by the Laws of *England*.

That no Free-man ſhall be compelled to receive any Souldiers or Marriners, except Inholders, and other Houſes of publick Entertainment, who are to quarter for ready Money into his Houſe, and there ſuffer them to ſojourn again their Wills; provided it be not in time of actual War within this Province.

That no Commiſſion for proceeding by Martial Law, againſt any of Their Majeſties Subjects within this Province, *&c.* ſhall iſſue forth to any Perſon or Perſons whatſoever, leaſt by colour of them any of their Majeſties Subjects be deſtroyed or put to Death, except all ſuch Officers and Souldiers that are in Garriſon, and in pay during the time of actual War.

That all the Lands within this Province ſhall be eſteemed and accounted Lands of Free-hold, and Inheritance in free and common Soccage, according to the Tenor of *Eaſt-Greenwich* in their Majeſties Realm of *England*.

That no Eſtate of a *Feme Covert* ſhall be ſold or conveyed, but by Deed acknowledged by her in ſome Court of Record, the Woman being ſecretly examined, if ſhe doth it freely, without threats or compulſion of her Husband.

That all Wills in Writing, atteſted by three or more credible Witneſſes, ſhall be of the ſame force to convey Lands, as other Conveyances, being proved and Regiſtered in the proper Offices in each County, within days after the Teſtators Death.

That all Lands and Heritages within this *P*rovince and Dependencies ſhall be free from all Fines, Liſences upon Alienations, and from all Heriots, Wardſhips, Liveries, *P*rimiers, Seizins, Year and Day, and Waſte, Eſcheat and Forfeiture upon the Death of Parents and Anceſtors, Natural, Unnatural, Caſual or Judicial, and that forever, Caſes of High-Treaſon only excepted.

That no Perſon of what Degree or Condition ſoever throughout this *P*rovince, choſen, appointed, or commiſſionated to officiate or execute any Office or Place, Civil or Military within this Province, *&c.* ſhall be capable in the Law to take upon him the charge of ſuch Place before

he

he hath firſt taken the Oathes appointed by Act of Parliament to be taken in lieu of the Oathes of Supremacy and Allegiance, and ſubſcribe the Teſt.

That no Perſon or Perſons which profeſs Faith in God by Jeſus Chriſt his only Son, ſhall at any time be any way moleſted, puniſhed, diſturbed, diſquieted or called in queſtion for any Difference in Opinion, or matter of Religious Concernment, who do not under that pretence diſturb the Civil Peace of the Province, *&c.* And that all and every ſuch Perſon and Perſons may from time to time, and at all times hereafter, freely have and fully enjoy his or their Opinion, Perſwaſions and Judgments in matters of Conſcience and Religion, throughout all this Province; and freely meet at convenient Places within this Province, and there Worſhip according to their reſpective Perſwaſions, without being hindered or moleſted, they behaving themſelves peaceably, quietly, modeſtly and Religiouſly, and not uſing this Liberty to Licentiouſneſs, nor to the civil Injury or outward Diſturbance of others. Alwayes provided, That nothing herein mentoined or contained ſhall extend to give Liberty to any Perſons of the *Romiſh Religion* to exerciſe their manner of Worſhip, contrary to the Laws and Statutes of their Majeſties Kingdom of *England.*

An Act for the Allowance to the Repreſentatives.

WHereas the ſeveral Repreſentatives of the Aſſembly cannot officiate and diſcharge that honourable and great Truſt repoſed in them, without being at great Charge and Expence, Be it therefore Enacted by the Governour and Council, and Repreſentatives convened in General Aſſembly, and it is hereby Enacted by the Authority of the ſame, That the Wages or the Allowance to each Repreſentative of the People, ſhall be Ten ſhillings currant Money of this Province *per Diem*, to commence from their coming out, till their return Home. Alwayes provided it ſhall not exceed eight dayes before the meeting of the Aſſembly, and eight dayes after their adjourning, proroguing or diſſolving of the ſame.

And be it further Enacted by the Authority aforeſaid, That each reſpective City and County throughout this Province, ſhall bear and defray the Charge of their own Repreſentatives; which Charge or Allowance, as aforeſaid, ſhall be paid to the reſpective Repreſentatives by the Treaſurer of each reſpective City and County, by warrant under the Hand and Seal of the Mayor of the reſpective Cities for the time being, and by Warrant of any two Juſtices of the Peace, to the Treaſurer of the reſpective Counties, within ten dayes after the Return of the ſaid Repreſentatives from the Aſſembly.

An

An Act to Enable the City and County of Albany to defray their neceſſary Charge.

FOraſmuch as the Inhabitants of the City and County of *Albany* have been, during the time of the late Diſorders, very much agrieved, waſted, deſtroyed and impoveriſhed by the Incurſions of the *French*, their Majeſties declared Enemies, and that it is abſolutely neceſſary that ſome ſuitable and convenient way ſhould be found out for their Relief and more eaſie defraying of the neceſſary Charge of that City and County, Be it therefore Enacted by the Governor and Council, and Repreſentatives convened in General Aſſembly, and it is hereby Enacted by the Authority of the ſame, That the Impoſition or Rate of *Two per Cent.* ſhall be raiſed and levied upon all *Indian* Goods that are brought up to that City and County of *Albany*, and there ſold or conſumed. And alſo, That the Impoſt of Three Pence be raiſed and levied upon each Gallon of Rum that is ſold and conſumed within that City and County. And for the due and orderly collecting of the ſaid reſpective Impoſts and Rates, the Treaſurer of the ſaid City for the time being, or any appointed by him, and the Mayor of the ſaid City, under the publick Seal of the ſaid City, are hereby impowered and authorized to appoint, conſtitute and eſtabliſh a Collector or Receiver of the Rates and Impoſts aforeſaid, who ſhall have Power to receive the ſame, and to enter in a fair Book, kept for that purpoſe, all ſuch Sum and Sums of Money as ſhall be ſo entered and received for the reſpective Duties aforeſaid; the ſaid Collector or Receiver appointing certain convenient Times and Places for the keeping of the Office, as ſhall be directed by the Court of Mayor and Aldermen, and Aſſiſtance of the ſaid City. And all Perſons that Trade and bring up to the ſaid City and County the afore-mentioned *Indian Goods* and *Rum*, are hereby required to make a Report of the Quantity and Value of ſuch Goods and Rum they ſo bring up and ſell in the City and County aforeſaid, and pay the Duties and Impoſts hereby eſtabliſhed, without being at any further Charge than the ſaid Duty. And in Default hereof it ſhall be lawful for the Mayor, Treaſurer, or any other Officer hereby Authorized, to iſſue out his or their Warrant, under his or their Hand and Seal, for the ſeizing of all ſuch Goods and Rum as ſhall be imbezeled, and not pay the Duties aforeſaid, One Third to the Imformer, One Third to the ſaid City and County of *Albany*, and One Third to his Excellency the Governour or Commander in Chief for the time being. Provided, That all the Sum and Sums of Money that are hereby received, ſhall be only appropriated and applyed to the defraying of the neceſſary Charges of the City and County aforeſaid. And that the Treaſurer, Collector or Receiver for the time being, ſhall not pay any of the Money received as aforeſaid, but by Warrant from the

Mayor

Mayor of the ſaid City, and approved by the Court of Aldermen and Aſſiſtants. Provided, That this Act ſhall only remain in force for the ſpace of three Yearr, and no longer, any thing contained herein to the contrary in any ways notwithſtanding.

An Act for Eſtabliſhing a Revenue for the defraying the Publick Charges of the Province.

FOr the better defraying of the publick and neceſſary Charges and Expences of this Province, which cannot otherwiſe be effected, without great Charge unto Their Majeſties, Be it Enacted by the Governour, Council and Repreſentatives now met in General Aſſembly, and by the Authority of the ſame, That the Duties, Cuſtoms and Exciſe hereafter ſpecified, be given and granted unto their ſaid Majeſties, to the intent aforeſaid That is to ſay,

For every Gallon of Rum, Brandy and Diſtilled Liquors, that ſhall be imported into this Province and Dependencies, the Sum of four Pence currant Money of this Province.

And for every Pipe of *Madera Wine*, *Fyall*, *St. Georges*, *Canary*, *Malego*, *Sherry*, and all ſweet Wines, the Sum of Forty Shillings currant Money aforeſaid.

And for every Hogſhead of White, Red and Rheniſh Wine, the Sum of Twenty Shillings, currant Money aforeſaid.

And upon all other Merchandize imported into this Province and Dependencies, the Sum of Forty Shillings, currant Money aforeſaid, for every Hundred Pound value at the prime Coſt, except theſe hereafter ſpecified, *viz.* *Salt*, *Brick*, *Pantils*, *Coals*, *Fiſh*, *Sugar*, *Meloſſos*, *Cotton-Wool*, *Ginger*, *Logwood*, *Brazelletto*, *Fuſtick*, or any other ſort of Dying Wood, *Cocoa*, *Hydes*, *Tobacco*, *Bullion* and *Plate*, *Pork*, *Oyl*, *Tar*, *Flax*, *Soap*, *Candles*, *Cheeſe*, *Butter*, *Beef*, *Fiſh*, *Whale-Bone*, *Hopps*, *Apples*, *Pears*, *Syder*, *Fire-wood*, *Planks*, *Boards*, *Pelery*, *Beaver*, *Sheeps Wool*, *Onions*, Dreſſed and Undreſſed *Deer-Skins*, *Tallow*, *Hides*, *Salt*, *Honey*, *Bees-Wax*, *Bay-Wax*, *Indian Corn*, *Wheat*, *Barley*, *Rye*, *Peaſe*, or any other ſort of Grain, or any other thing of the Growth and Production of our Neighbouring Collonies and Plantations in *America*.

And be it further Enacted by the Authority aforeſaid, That there be alſo given and granted unto their ſaid Majeſties, for the intent aforeſaid, upon all Merchandize, commonly called by the Name of *Indian Goods* or *Duffils*, *Stroads*, Blankers, Plains, half Thicks, Woolen Stockings, White Oaenburgs, Kettles, Hatchets Hoes, Knives, Red Lead, Vermilion, Cotton, Red Kerſies, Indian Haberdaſhery, and other Indian Goods, the Sum of Ten Pounds currant Money aforeſaid, for every Hundred Pounds Value prime coſt, that ſhall be carried up *Hudſons River* in any Veſſel, Sloop, Boat or Canow, or any other way. And that the

Value of the prime Coſt ſhall be at the Rate hereafter mentioned provided, That all Kettles that ſhall contain above eight Gallons, ſhall pay none of this Duty, *viz.*

Indian Duffils to be valued at Two Shillings and Four Pence the Yard.

Indian Stroad, half a piece, Four Pound. A whole piece Eight Pounds.

Indian Blankets, each piece four Pounds.

Indian plain Cotton, per Yard one Shilling and ſix Pence.

Indian half thick'd, per Yard one Shilling and ten Pence.

Indian White Ozenburgs, the Engliſh Ell eight Pence.

Indian Kettles, each hundred weight, ſix Pounds.

Indian Hatchets, the dozen, twelve Shillings.

Indian Hoes, the dozen, twelve Shillings.

Red Lead, each Hundred weight twenty Shillings.

Vermillion, per Pound four Shillings.

Cotton per Yard one Shilling and four Pence.

Red Kerſey per Yard two Shillings and ſix Pence.

Knives per dozen three Shillings.

Indian Shirts per dozen twenty Shillings.

Indian Drawing Knives, Looking-Glaſſes, Indian Wooden Combs, Indian Beeds, Tobacco in Rolls, Indian Bells, Sciſſars, Jews Harps, Indian Points, Drills, Tobacco Pipes, little painted Boxes, Auls, Sword Blades, Copper Tobacco Boxes, Tinſey Lace, Indian Gimp Lace, Needles, Tobacco Tonges, Indian Powder Horns, Indian Woolen Stockens, and Indian Steels, the ſum of ten Pound currant Money aforeſaid, for every hundred Pounds Value prime Coſt, that ſhall be carried up, as aforeſaid.

And for every Barrel of Powder ſix Shillings.

For every hundred weight of Leed ſix Shillings.

For every Gun with or without a Lock, ſix Shillings, which ſhall be carried up *Hudſons River*, as aforeſoid.

And alſo, for every Gallon of Rum which ſhall hereafter be carried up *Hudſons River*, as aforeſaid, four Pence.

And be it further Enacted by the Authority aforeſaid, That there be given and granted, and there is hereby given and granted unto them, for the Uſe aforeſaid, an Exciſe upon all Brandy, Rum, and all other Diſtilled Liquors, to be retailed within this Province, under fifteen Gallons, the Sum of twelve Pence, Money aforeſaid, for each Gallon ſo retailed.

And alſo, an Exciſe of twelve Pence, currant Money aforeſaid, on each Gallon of Wine, under the Quantity of five Gallons, ſo retailed, as aforeſaid.

And alſo, That all Beer and Syder retailed throughout this Province and Dependencies, ſhall pay ſix Shillings for each Barrel ſo retailed.

And be it further Enacted by the Authority aforeſaid, That there be given and granted, and there is hereby further given and granted unto

Their

Their ſaid Majeſties, for the uſe aforeſaid, a Cuſtom and Duty, that is to ſay, Upon every Beaver Skin, commonly called a whole Beaver, the Sum of Nine Pence, currant Money aforeſaid.

And that all other Furs and Peltry be valued and rated accordingly, That is to ſay,

For two half Beavers nine Pence.
For four Laps nine Pence.
For three Drillings one Shilling and ſix Pence.
For ten Raccoons nine Pence.
For four Foxes nine Pence.
For four Fiſhers nine Pence.
For five Cats nine Pence.
For ſix Minks nine Pence.
For one Otter ſix Pence.
For two Bear Skins nine Pence.
For four Wolfes nine Pence.
For four and twenty Musk-Rats nine Pence.
For ten Matters nine Pence.
For every Twenty four Pounds of Muſe and Deer Skins nine Pence.

And for Ox, Bull and Cow Hides, ſix Pence per Hide, *Spaniſh* and *Weſt-India* Hides only excepted.

And all other Peltry to be valued equivolent to a whole Beaver, nine pence, to be exported out of this Province.

And be it further Enacted by the Authority aforeſaid, That for the due and orderly collecting of the aforeſaid Duties, Cuſtoms and Exciſe, and alſo for the preventing of Fraud and Imbezelments of the ſaid Duties, Cuſtoms and Exciſe, That all Ships and Veſſels whatſoever that ſhall come to any Port, Creek or Harbour within this Province and Dependencies, to Trade or Traffick, the Maſter, Mate or Purſer ſhall come to ſuch place or places as ſhall be appointed by the Governor or their Majeſties Collector for the time being, and there make Report of all ſuch parcel or parcels of Merchandize and other things, as he hath on board ſuch Ship or Veſſel, and alſo declare upon his Corporal Oath, That he hath not broke bulk ſince his arrival within this Province, before he made ſuch Report as is required.

And alſo, all Merchants that have any Goods or Merchandize whatſoever, ſhall at ſuch place or places as is above directed, make a true and diſtinct Entry of all ſuch parcel or parcels of Goods or Merchandize he hath on board ſuch Ship or Veſſel, according as they coſt him at prime coſt; and if any Difference ſhall ariſe about the value of the ſaid Goods and Merchandize, then the Collector, or any appointed for the Collection of the ſaid Duties or Cuſtoms, may adminiſter to all or any ſuch Perſon or Perſons, making ſuch Entry, their Corporal Oathes, *That the ſaid Entry is according to the Invoice or Invices ſent to him or them from the place or places from whence ſuch Goods did come.*

And further, It is Enacted by the Authority aforeſaid, That if any Maſter,

Maſter, Mate or Purſer of any Ship or Veſſel whatſoever, or any Merchant, Factor, or other, ſhall, contrary to the Rules above preſcribed, break Bulk or Land any Goods or Merchandize whatſoever, before he or they make ſuch a Report or Entry, and pay ſuch Duties as required by this Act, then and in ſuch caſe the Maſter of ſuch Ship or Veſſel that ſhall break Bulk before making ſuch Report, as above, ſhall, upon proof of two Evidences, forfeit his Ship or Veſſel, with all her Tackle, Furniture and Ammunition, one third part to their Majeſties, one third to the Governour of this Province, and one third to the Informer, to be ſued for in any Court of Record within this Province, by Bill, Plaint or Information, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

And alſo, all ſuch Goods as ſhall be landed, without Entry made, as afore directed, ſhall be forfeited, on the Teſtimony of two or more ſufficient and credible Witneſſes, one third to their Majeſties, one third to the Governour, and one third to the Informer, that ſhall ſue, as above.

And be it further Enacted by the Authority aforeſaid, That all Maſters of Ships or Veſſels that are within this Province, and do not belong to this Province, or any part thereof, and bound to any Port within or without this Province, ſhall, before they take in any merchandize above expreſſed, come to ſuch place or places as ſhall be appointed for the collecting the Rates eſtabliſhed by this Act, and there make Entry and Report of their deſign, and enter into Bond to the value of one Thouſand Pounds, with ſufficient Sureties, *That he or they ſhall not take on Board, directly or indirectly, without ſuch Permit or Certificate from the Collector, or ſome one having Authority under him for the ſame.* And if he or they do take on board any Goods or Merchandize, contrary to the true intent and meaning of this Law, then he or they ſhall forfeit his or their ſaid Bond, to be ſued for within three Moneths after ſuch fact committed, or otherwiſe to be void, and of none effect.

And alſo, for the due and orderly Collection of the Exciſe above granted, Be it hereby Enacted by the Authority aforeſaid, That all Retailers of Wine, Rum, Brandy, or any other ſtrong Liquor within this Province, ſhall, upon their purchaſe and receipt of all ſuch Liquor or Liquors before expreſſed or Exciſeable, come to the Office or Officer of the Exciſe, and there or with him make Entry of all ſuch Liquor or Liquors as they ſhall buy and receive, and pay ſuch Duties as are hereby appointed, within four and twenty Hours, or as ſoon as may be, without great Inconveniency; Provided an Officer for that purpoſe be eſtabliſhed in each Town throughout the Province; and on default thereof, all ſuch Liquors as ſhall be found in any Retailers Houſe within this Province or Dependencies, as have not been duely entred and paid the Rates above expreſſed, Then and in ſuch caſe on the Teſtimony of two or more ſubſtantial Witneſſes, the ſaid Retailer or Retailers, ſo offending in the Premiſes, ſhall forfeit ſuch Liquors.

And

And in caſe the value thereof ſhall be under the ſum of five Pounds current Money aforeſaid, ſhall likewiſe, and beyond forfeit, pay the trible Value of ſuch Liquors, one half to the Informer, and the other half to publick Treaſury of this Province, to be ſued for in any Court of Record within each County where any ſuch Action or Actions ſhall ariſe, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

And be it further Enacted, That if any Perſon or Perſons within this Province and Dependencies, not being thereunto duely Liſenced, ſhall at any time hereafter preſume to ſell by Retail the Liquors aforeſaid, that is to ſay, leſs quantity at one time than fifteen Gallons, the Perſon ſo offending, ſhall forfeit and pay the ſum of five Pounds for every ſuch Offence, being thereof convicted by the Oathes of two or more ſubſtantial Evidences, to be ſued and imployed for in ſuch manner and proportions as is laſt aforeſaid.

And be it further Enacted, That all Maſters and Commanders of Ships, Sloops, Boats, or any other Veſſel belonging to this Province, and its Dependencies, ſhall repair to the ſaid Cuſtom-Houſe, or other place or places that ſhall be appointed for that purpoſe, and there enter into Bond of one Hundred Pounds, *That they ſhall not directly or indirectly take on Board or carry away out of this Province and Dependencies, any of the aforſaid Goods or Merchandizes, without paying ſuch Cuſtoms and Duties as are before expreſſed.*

Provided alſo, That all *Indian Traders* throughout the whole Province and Dependencies do pay for the value of each hundred Pounds prime coſt, they ſo Traffick with the *Indians*, the ſum of Ten Pounds, Money aforeſaid.

Alwayes provided, and it is further Enacted by the Authority aforeſaid, That if any of the Goods, Merchandize, Wine, Rum, Brandy, and other diſtilled Liquors, for which the Duties, in this Act mentioned, is paid, or ſecured to be paid at the Importation, be Exported out of this Province, within ſix Moneths after their Importation, then the moyety, or one half of the aforeſaid Duties, in this Act mentioned, ſhall be returned, for as much as ſhall be ſo exported, the Exporter making Oath in the Cuſtom Houſe, *That the whole Duty hath been wholly paid for the ſaid Wines and Liquors, at the Importation; and that there hath been no Fraud or Mixture uſed to encreaſe the ſaid Liquors, to be exported.* And that thereupon he bring a Certificate from the Surveyor or Searcher, *That the ſaid Wines or Liquors are accordingly Shipped.* Any thing contained here unto the contrary in any ways notwithſtanding.

Provided always, That this Act, and all things therein contained, ſhall only continue and remain in force for the time and ſpace of two Years next and after the Publication thereof, and no longer, any thing contained herein to the contrary in any wayes notwithſtanding.

An Act to enable his Excellency to defray his extraordinary Expence, and to Indemnifie the Collector and Receiver General for the Receipt of ſeveral Sums of Money on pretence of Cuſtom and Duty.

THE Repreſentatives convened in General Aſſembly, being very ſenſible that the great Confuſions and many Diſorders that were in the Province on your Excellency's arrival, muſt needs occaſion unto your Excellency an extraordinary and great Expence; and they being likewiſe well aſſured of the good Affection your Excellency has for the Inhabitants of this Province, and for the great Care your Excellency hath taken for the conſerving the Peace thereof. And foraſmuch as their Majeſties Collector and Receiver General has ſince the 29th of *January*, excluſive, laſt paſt, received from the Inhabitants of this Province ſeveral Sums of Money for Duties, Cuſtoms, and other Impoſitions, formerly accuſtomed to be taken, but not warrantable by the Law. For the removal of the many Controverſies and Diſputes that may ariſe hereby, and alſo for the better defraying the extraordinary Expences your Excellency has been at, do pray that it may be Enacted by your Excellency and Council, and Repreſentatives convened in General Aſſembly,

And be it hereby enacted by the Authority of the ſame, That all the Sum and Sums of Money for any Duty, Cuſtom, Impoſition, or any other pretence whatſoever, received by their Majeſties Receiver General, ſince the twenty nineth day of *January*, excluſive, now laſt paſt, until the day of a Publication of a certain Act now made and eſtabliſhed in this preſent Seſſions of Aſſembly, entituled, *An Act for the eſtabliſhing a Revenue, for the defraying the publick and neceſſary Charges of the Province*, are hereby given and granted unto his ſaid Excellency, for the intent aforeſaid. And the ſaid Collector and Receiver General is hereby required and authorized to account and pay unto his ſaid Excellency, when he ſhall be thereunto required, all and every of the ſaid Sum and Sums of Money, ſo by him received, within and during the time afore-mentioned. And for his ſo doing, this Act ſhall be a good and ſufficient Warrant unto him the ſaid Collector, his Executors and Adminiſtrators forever.

And be it further Enacted by the Authority aforeſaid, That their Majeſties Collector and Receiver General aforeſaid, is hereby indemnified from all manner of Plaints, Suits or Demands whatſoever, from any Perſon or Perſons on the account of any Sum or Sums of Money ſo received by him, during the time aforeſaid; and that if any Action, Bill, Plaint or Information ſhall be brought, moved or proſecuted at any

any time hereafter againſt the ſaid Collector, his Executors or Adminiſtrators, for or concerning any Sum or Sums of Money ſo received by him, during the time aforeſaid, he or any of them ſo ſued and proſecuted in any Court whatſoever, ſhall and may plead the general Iſſue, *Not Guilty*, and upon any Iſſue joyned, may give this Act, and the ſpecial matter in Evidence. And if the Plantiff or Proſecutor ſhall be Non-ſuited, or forbear further Proſecution, or ſuffer Diſcontinuance, or Verdict paſs againſt him, the Defendant or Defendants ſhall recover their trible Coſts, for which they ſhall have like Remedy as in caſe where Coſts by the Law are given to Defendants.

And whereas there are ſeveral Arrearages of Cuſtoms and Duties in the Moneth of *June*, which was in the Year of our Lord One Thouſand Six Hundred and Eighty Nine, formerly uſed to be taken, Be it further Enacted by the Authority aforeſaid, That all ſuch Perſon or Perſons that remain endebted for any Duty or Cuſtom ariſing and due in the Moneth of *June* aforeſaid, which was in the Year of our Lord 1689. are hereby required to make their ſeveral and reſpective Payments unto their Majeſties Collector and Receiver General, for the intent aforeſaid. And their Majeſties Collector & Receiver General is hereby Authorized and Impowered to receive the ſame, and in default thereof, to ſue for and recover the ſame, in ſuch manner and form as is uſual and practicable in recovery of all juſt Debts due to the King.

And foraſmuch as the Repreſentatives now met in General Aſſembly are likewiſe ſenſible of the ſignal ſervice done and acted by Major *Rich. Ingoldsby* and Cap. *William Kidd*, before your Excellency's arrival, therefore pray that it may be further Enacted by the Authority aforeſaid, That there be paid out of the Money given to your Excellency, by virtue of this Act, unto *Major Richard Ingoldsby* the Sum of one Hundred Pounds, and to Capt. *William Kidd* the Sum of one Hundred and Fifty Pounds, as a ſuitable Reward and Acknowledgement for the good Services done by them before your Excellency's arrival here.

An Act for the raiſing of two Thouſand Pounds for paying and defraying the Incidental Charges, according to eſtablishment of one hundred Fuzileers, with their proper Officers, for one whole Year.

FOr the ſecuring the Fronteers of this Province in the County of *Albany*, it is thought convenient, that his Excellency, the Captain General do raiſe one Company to conſiſt of one hundred Fuzileers, with their proper Officers, which ſhall remain in the ſaid County, for the defence thereof, one whole Year, to commence on the 28th day of *March*,

March now laſt paſt. Be it therefore Enacted by the Governour and Council, and Repreſentatives convened in General Aſſembly, And it is hereby Enacted by the Authority of the ſame, That a Levy of two Thouſand Pounds currant Money of this Province, be laid, aſſeſſed, raiſed and levyed upon all and every of the Inhabitants, Reſidents and Free-holders of and in this Province, for the paying and defraying the incidental Charges of the ſaid Company of Fuzileers, and their Officers for one whole Year, as aforeſaid, and for no other uſe, intent or purpoſe whatſoever. To be laid, aſſeſſed, raiſed, levied and paid unto their Majeſties Collector and Receiver General for the time being, at their Majeſties Cuſtom-Houſe in the City of *New-York*, at the times hereafter mentioned, That is to ſay, one half or Moyety of the ſaid two Thouſand Pounds at or before the 25th of *July* now next enſuing, and the other moyety or half part at or before the 25th day of *March*, which ſhall be in the Year of our Lord 1692. according to the Rates and Proportions following, that is to ſay,

For the City and County of *New-York*, Four Hundred Pounds.
For the City and County of *Albany* One Hundred and Eighty Pounds.
For the County of *Weſtcheſter*, one hundred and forty Pounds.
For the County of *Richmond* one hundred and twenty Pounds.
For the County of *Ulſter* and *Dutches County* two hundred and fifty Pounds.
For the County of *Suffolk*, three hundred and fifty Pounds.
For *Kings County*, two hundred and ſixty Pounds.
For *Queens County*, two hundred and ſixty Pounds.
For the County of *Orange*, fifteen Pounds.
For *Dukes County*, twenty five Pounds.

And be it further Enacted by the Authority aforeſaid, That for the better aſſeſſing, raiſing and rating the Sum of two thouſand Pounds aforeſaid, the Mayor and Aldermen within the City of *New-York*, the Mayor and Aldermen of the City of *Albany*, with the Juſtices of the Peace for the City and County of *Albany* for the time being; and the Juſtices of the Peace for the time being, for the ſeveral reſpective Counties aforeſaid, for the ſeveral Counties reſpectively for which they ſhall be Juſtices of the Peace, do forth-with, upon the Publication hereof, aſſemble and meet together at the Court-Houſes, for the ſeveral reſpective Cities and Counties, or ſuch other place or places as they ſhall agree upon amongſt themſelves, and ſhall there order, that the Aſſeſſors and Collectors for the ſeveral reſpective Cities, Towns, Mannors and Liberties within their ſeveral Juriſdictions, for the Aſſeſſing, Collecting and receiving of the publick Rates, for the defraying the pubick and neceſſary Charge of each reſpective City and County aforeſaid, be the Aſſeſſors and Collectors, for the aſſeſſing, collecting and receiving the Sum or Sums of Money herein before mentioned, according to the Proportions before expreſſed, as to the ſaid Mayor, Aldermen and Juſtices ſhall ſeem meet and reaſonable.

Be

Be it further Enacted by the Authority aforeſaid, That the ſaid Mayor, Aldermen, and Juſtices of the Peace for the reſpective Cities, Counties, Manners and Juriſdictions, have, and ſhall have Power and Authority, by virtue of this Act, each of them by himſelf, to adminiſter an Oath to the ſaid Aſſeſſors, *Well, truly, equally, and according to their beſt Underſtanding, to aſſeſs and rate the Inhabitants, Reſidents and Free-holds of the reſpective places for the which they ſhall be choſen Aſſeſſors.*

And be it further Enacted by the Authority aforeſaid, That if any Perſon or Perſons who ſhall be choſen Aſſeſſors or Collectors, ſhall deny, neglect or refuſe to take Oath, as aforeſaid, or ſhall in any ways deny, neglect, or refuſe to make ſuch Aſſeſment as by this Act is required, or ſhall deny, neglect or refuſe to collect any Sum or Sums of Money, in form before mentioned aſſeſſed, that then and in ſuch caſe it ſhall and may be lawful for any two of their Majeſties Juſtices of the Peace, of the County where ſuch Offenders ſhall happen to dwell or reſide, and who by virtue of this Act are required and impowered to do the ſame, by Warrant under their Hands and Seals to commit ſuch Aſſeſſor or Aſſeſſors, Collector or Collectors, ſo denying, refuſing or neglecting, to the common Goal, there to remain without Bail or Mainprize, till he or they ſhall make Fine and Ranſom to their Majeſties, for ſuch Contempt as above-ſaid.

And be it further Enacted by the Authority aforeſaid, That if any Perſon or Perſons, of what Degree or Quality ſoever he or they be of, within this Province, who ſhall be aſſeſſed or rated any Sum or Sums of Money, by virtue of this Act to be raiſed or levied, ſhall deny, refuſe or delay to pay and ſatisfie the ſame, That then it ſhall and may be lawful for any ſuch Collector, by virtue of a Warrant under the hand and ſeal of any Juſtice of the Peace for the City and County where ſuch Offenders ſhall dwell or reſide, who, by virtue of this Act are required and authorized to grant and iſſue forth ſuch Warrants, to levy the ſame by diſtreſs and ſale of ſuch Perſon or Perſons Goods and Chattels, returning the over-plus of ſuch Goods and Chattles to the owners, the ſum aſſeſſed, and Charges of Diſtreſs and Sale being firſt deducted, if any ſuch over-plus ſhall happen to be.

And alſo, Be it further Enacted by the Authority aforeſaid, That if any Mayor, Alderman or Juſtice of the Peace within this Province, who are hereby required, impowered and authoriſed to take effectual care that this Act, and every Article and Clauſe therein be truly executed, according to the true and genuine ſence and intent thereof, ſhall deny, refuſe, neglect or delay to do, perform, fullfill and execute all and every, or any the Duties, Powers and Authority by this Act required and impowered by him or them to be done, performed, fullfilled and executed, and ſhall thereof be lawfully convicted before any of their Majeſties Courts of Record within this Province, he or

they ſhall ſuffer ſuch Pain, by Fine, Impriſonment, as by the diſcretion of the Juſtices of the ſaid Courts ſhall be adjudged.

And be it further Enacted by the Authority aforeſaid, That if any Action, Bill, Plaint or Information ſhall be brought, moved or preſented at any time hereafter againſt any perſon or perſons, for any matter, cauſe or thing done or acted in purſuance or execution of this Act, ſuch perſon or perſons ſo ſued or preſented in any Court whatſoever, ſhall and may plead the general Iſſue, *Not Guilty*, and upon any Iſſue joyned, may give this Act and the ſpecial matter in Evidence; and if the Plantiff or Proſecutor ſhall be non-ſuited, or forbear further Proſecution, or ſuffer Diſcontinuance, or Verdict to paſs againſt him, the Defendant and Defendors ſhall recover their Trible Coſts, for which they ſhall have the like Liberty as in any caſe where Coſts by Law are given to the Defendant. Provided alwayes, That no Mayor, Aldermen or Juſtices of the Peace ſhall be troubled, ſued, proſecuted or moleſted for any Omiſſion, Offence or Neglect, by virtue of this Act, but within the ſpace of one year after ſuch omiſſion, offence or neglect, and not at any time hereafter, any thing herein contained to the contrary in any wiſe notwithſtanding.

An Act to eaſe People that are ſcrupulous in Swearing.

FOraſmuch as there are ſundry Perſons within this Province and Dependencies, out of a tender Conſcience refuſe to give their Evidence on Oath in any matter or thing depending in any of the Courts within the ſame, Be it therefore Enacted by the Governour and Council, and Repreſentatives now met in General Aſſembly, and by the Authority of the ſame, That in ſuch caſe the perſon or perſons ſo refuſing the ſame, ſhall give in or deliver their Evidence or Teſtimony in manner & form following, that is to ſay, *I* A. B. *do ſolemnly promiſe, as in the preſence of God, to ſpeak the Truth, the whole Truth, and nothing but the Truth to the matter or thing in queſtion.*

And be it further Enacted by the Authority aforeſaid, That if any ſuch perſon or perſons, ſo refuſing as aforeſaid, ſhall be ſummoned to ſerve upon any Jury in any Court within this Province, then ſuch perſon or perſons ſhall make the Engagement following, that is to ſay, *I* A. B. *do ſolemnly promiſe, as in the preſence of God, that I will well and truly try the Iſſue between* C. D. *Plantiff, and* H. I. *Defendant, according to Evidence.* And in caſe any ſuch perſon or perſons ſo called to Evidence, and to ſerve upon any Jury, and declaring as aforeſaid, ſhall afterwards be convicted of willfull Falſhood, that then and in ſuch caſe ſuch perſon or perſons ſhall undergo the ſame puniſhment as in caſe of willfull Perjury is appointed and provided.

A

An Act for Pardoning ſuch as have been active in the late Diſorders.

THE Governour and Council, and Repreſentatives convened in General Aſſembly, taking into their ſerious Conſideration the many great Troubles and Diſorders that have been lately within this Province, and that by occaſion thereof, and otherways, many of their Majeſties Subjects are fallen into danger of and lie open to great Penalties and Forfeitures. And withal, conſidering the Ignorance of many, and the dutiful Affections of others of their Majeſties Subjects, out of an earneſt deſire to deliver them from the Penalties and Forfeitures aforeſaid, and to the intent that their Offences may not hereafter be brought in Judgment, Queſtion or Remembrance, to the leaſt endamagement of them, either in their Lives, Liberties, Eſtates or *Reputations*, but that they, having an entire Confidence in their Majeſties, and perfect Union among themſelves, may be encouraged in their Duty to their Majeſties Government, and more fully and ſecurely enjoy the benefit of it, It is therefore neceſſary, that there be extended unto them a general and free Pardon, that all their Majeſties Subjects by this Clemency and Indulgence may be the better induced henceforth more carefully to obſerve the Laws, and perform their Loyal and due Obedience to their Majeſties, Be it therefore Enacted by the Governour and Council, and Repreſentatives convened in General Aſſembly, and by the Authority of the ſame, That all and every of the ſaid *Subjects* inhabiting within this Province, their Heirs, Executors and Adminiſtrators, and every of them ſhall be, and are by the Authority of this preſent Aſſembly acquitted, pardoned, releaſed and diſcharged, againſt their Majeſties, their Heirs and Succeſſors, and every of them, of and from all manner of Treaſons, Fellonies, Miſpriſons of Treaſon, Treaſonable or Seditious Words and Libills, Miſpriſons of Fellony, Seditious and Unlawful Meetings, and of all Offences whereby any perſon may be charged with the penalty and danger of Præmunire; And alſo, from and of all Riots, Routs, Offences, Contempts, Treſpaſſes, Entries, Wrongs, Deceits Miſdemeanours, Forfeitures, *Penalties*, *Pain* of Death, Pains Corporal and Pains Pecunary; and Generally, of and from all other Things, *Cauſes*, Quarrels, Suits, Judgments and Executions, in this preſent Act not hereafter excepted, which may be or can by their Majeſties in any ways, or by any means pardoned before the 19*th* day of *March* laſt paſt, to any of the Subjects aforeſaid.

And be it further Enacted by the Authority aforeſaid, That this *Pardon* ſhall be as good and effectual in the Law to every of their Majeſties ſaid Subjects, in, for and againſt all things which be not hereafter in this preſent Act excepted, as the ſame *Pardon* ſhould have been,

if all Offences, Contempts, Forfeitures, Cauſes, Matters, Suits, Quarrels, Judgments, Executions, Penalties, and all other things not hereafter in this preſent Act excepted, had been particularly, ſingularly, ſpecially and plainly named, rehearſed, and ſpecified, and alſo pardoned by expreſs words and names, in their kinds, natures and qualities, by words and terms thereunto requiſit to have been put in and expreſſed in this preſent Act of *Pardon*. That their ſaid Subjects, or any of them, their Heirs, Executors and Adminiſtrators, or any of them, be not, or ſhall be ſued, vexed, or unquieted in their Bodies, Goods, Chattels, Lands or Tenements, for any manner of Matter, Cauſe, Contempt, Miſdemeanour, Forfeiture, Treſpaſs, Offence, or any other thing ſuffered, done, committed or omitted, before the 19*th*. day of *March*, againſt their Majeſties, their Crown, Dignity, Prerogative, or the Laws or Statutes of their Majeſties Realm of *England*, and this *Province*, but ouly for ſuch Matters, Cauſes and Offences as be rehearſed, mentioned, or in ſome ways touched in the Exceptions of this preſent Act excepted, and for none other, any Statute, Law, Cuſtom or Uſage heretofore had, made or uſed, to the contrary in any ways notwithſtanding.

And be it further Enacted, That all and every their Majeſties Subjects may by him or themſelves, or by his or their Attorney or Attorneys, according to the Laws of *England* and this *Province*, plead and miniſter this preſent Act of *Pardon*, for his or their diſcharge of or for any thing that is by virtue of this Act pardoned, diſcharged, given or granted, without any Fee, or other thing paying to any perſon or perſons, for writing or entring of the Judgments or other Cauſe concerning ſuch *Plea*, Writing or Entry, but only three Shillings to be paid to the Officer or Clark that ſhall enter ſuch *Plea*, Matters for Judgment, or the party's Diſcharge in that behalf, any Law, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

And be it further Enacted by the Authority aforeſaid, That this *Pardon* by the general Words, Clauſes and *Sentences* before rehearſed, ſhall be reputed, deemed and adjudged, expounded, allowed and taken in all manner of Courts of their Majeſties, moſt beneficial and available to all and ſingular the ſaid Subjects, and to every of them in all things, not in this preſent Act excepted, without any ambiguity, queſtions, or other delay whatſoever, to be made, pleaded, objected or alledged by their Majeſties, their Heirs or Succeſſors, or their or any of their General Attorney or Attorneys, or by any perſon or perſons for their Majeſties, or any of their Heirs and *Succeſſors*.

Excepted, and alwayes for-prized out of this general *Pardon* all and every the *Perſons* hereafter named and expreſſed.

Jacob

Jacob Leyſter,
Jacob Milbourn,
Oberrardus Beekman,
Abraham Governeer,
Abraham Braſier,
Thomas Williams,
Minardt Coerten,
Johannis Wermiliſaen, already attainted of Treaſon and Murder.
Nicholas Blank,
Gerret Duykin,
Henrick Janſin,
John Coe,
William Lawrance of *Eaſt-Jarſey,*
Cornelius Plevier,
William Churchill,
coſt Stoll,
Samuell Staats,
Jacob Mauritz,
Robert Leacock,
Michael Hauſen,
Richard Pouten, of the County of *Weſtcheſter.*
Joſeph Smith,
John Baily,
Rouleus Swartwood,
Anthony Swartwood,
Johannes Proveſt,
Jacob Mullein,
Benjamin Blagg,
Joachem Staates,
And
Richard Pretty.

The End of the Firſt Seſſions.

Several Acts made by the General Assembly in their Second Sessions, begun the 8th. of *September*, *Annoq; Domini* 1691. and in the third Year of Their Auspicious Majesties, King *William* and Queen *Mary*.

An Act for the Regulating Damages done in the time of the late Disorders, and for the uniting the Minds of their Majesties Subjects within this Province, and for calling home such of their Majesties Subjects that have lately absented themselves from their Habitations and the usual places of their Abode.

FOrasmuch as many of their Majesties Subjects have lately absented themselves from the usual places of their Abode, and others, through causless fears, have also with-drawn themselves out of this Province, by which means Trade is lessened, the Strength of the Province is weakened, and their Families injured. And whereas it is highly necessary at this Juncture, being a time of War and great danger, that the Minds of the Subjects in this Province should be heartily united. And forasmuch as in the time of the late Disorders, when *Jacob Leysler*, lately attainted and executed, had usurped a Power, and pretended a Government over their Majesties Subjects within this Province, many Hurts, Injuries, Wrongs and Damages were done unto their Majesties good and faithful Subjects by those that were aiding and assisting unto him in his usurped Power and Government, as aforesaid. And it being likewise necessary, that all their Majesties Subjects, as aforesaid, should have some just and reasonable Satisfaction from those that have injured them; and that it is apparent that many through Ignorance and Fear, have been led aside to do the Hurts and Harms, as aforesaid, and if such be prosecuted by the common Process of the Law, may tend to the utter Ruin of them and their Families, and no wayes recompence the Injuries done, and those that are most able to satisfie the Damages, and have been most active in prosecuting the same, escape free. And forasmuch as the general Peace and Security of their Majesties Government over this Province, cannot be firmer

former eſtabliſhed, than that all thoſe that have ſo abſented themſelves, return again to their reſpective Abodes and Habitations, and that al their good Subjects heartily unite in the common Defence of the ſame againſt all Enemies whatſoever. And for the effectual doing thereof and that a juſt and equitable Satisfaction may be made to the Perſon injured, by thoſe that have been active, as aforeſaid, in ſuch equal and juſt Proportions, as the Circuſtances of the Fact will admit.

Be it therefore Enacted by the Commander in chief and Council and the Repreſentatives convened in General Aſſembly, and by the Authority of the ſame, That in each of the reſpective Cities and Counties hereafter named and expreſſed, there ſhall be conſtituted and commiſſionated, under their Majeſties Seal of this Province, five Commiſſioners, who are hereby impowered and authorized, at ſuch certain dayes and places as they ſhall conveniently appoint, to meet and aſſemble together, and at ſuch their Aſſemblies and Meetings to receive in Writing the Claims and Demands of ſuch of their Majeſties Subjects that have been hurt, or have received Damage in their Eſtates by the force or violence of any Perſon or Perſons imployed, or pretended to be imployed by *Jacob Leyſler*, lately attainted and executed, or any under, or aſſociated with him: And after they have received ſuch Claims and Demands, as aforeſaid, they are then to cauſe the Conſtable of the reſpective Towns, where the Perſons complained againſt do reſide, or any other Perſon the ſaid Commiſſioners ſhall think fit to appoint, to ſummon the parties complained againſt, to make their Perſonal Appearance before them at a certain day, of which the Complainants ſhall have notice, and be likewiſe preſent; and upon their appearance ſtrictly to examine, and to enquire into the matter of Fact and Damage alledged; and upon denyal of the Fact, to ſummon and call before them ſuch Perſon or Perſons, that know any thing of the Fact or Damage alledged, or can give Evidence thereof; and the ſaid Commiſſioners are hereby impowered and authorized to adminiſter an Oath or Oathes unto ſuch perſon or perſons that ſhall be ſo ſummoned before them, that the Truth may be the better diſcovered. And upon their hearing and examining of the Parties, and enquiring into the matters of Fact and Damage, as aforeſaid, they are hereby further impowered and authorized to aſſeſs the Damage in Truth and Equity, as it ſhall appear unto them, and not otherwiſe; and ſuch Aſſeſſments of the Damages ſhall be taxed on the Offendors in ſuch juſt and equal Proportions, as to them ſhall ſeem meet, in equity and good Conſcience: and after ſuch their Aſſeſſment and Taxation, as aforeſaid, ſhall order and decree the Offendors or Defendants to pay the ſum ſo aſſeſſed and taxed, in manner aforeſaid, unto the Complainants, or give ſufficient ſecurity that they ſhall pay the ſame at a reaſonable day after this their Decree and Determination. All which Aſſeſments, Taxations, Decrees and Determinations done and made, in manner and form, as aforeſaid, ſhall be good and effectual in the Law, and a good and ſufficient Diſcharge unto the Defenders forever, according to

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the true intent and meaning hereof, any thing contained herein, or in any other Law to the contrary hereof, in any wiſe notwithſtanding.

Alwayes provided, and be it further Enacted by the Authority aforeſaid, That all Perſons that have been harmed, injured and damaged in manner aforeſaid, and are at the publication hereof within this Province, ſhall bring in their Claims and Demands into ſuch place or places, as ſhall be appointed by the Commiſſioners in the reſpective Cities and Counties hereafter named, within forty dayes, otherwiſe they ſhall forever be barred their Claim. And upon any future Proſecution, the Defendants may plead the general Iſſue, and give this Act and the ſpecial matter in Evidence, and if the Plantiff ſhall become Non-ſuit, or forbear further Proſecution, or ſuffer Diſcontinuance, or if Verdict paſs againſt him, the ſaid Defendant ſhall recover his double Coſts, for which he ſhall have the like remedy as in caſe where Coſts by Law are given to Defendants.

And all Perſon or Perſons that are out of the Province at the Publication hereof, and have been wronged or injured in manner aforeſaid, ſhall within one Year after the Publication hereof, give in their Claim and Demand, as aforeſaid, otherwiſe ſhall forever be barred their Claims, and be under the Reſtriction of this Law to all intents and purpoſes, as aforeſaid.

Alwayes provided, and be it further Enacted by the Authority aforeſaid, That if any Perſon or Perſons that have offended in manner aforeſaid, and have been perſonally ſummoned, or had a Summons left in Writing at their Habitations, or uſual places of their Abode, and do not appear to make their Defence, or ſhow ſome lawful cauſe why they could not appear, ſhall be deemed and eſteemed as Defaulters, and Sentence and Decree ſhall paſs upon them on default accordingly, and Executions iſſue thereupon, as aforeſaid.

And be it further Enacted by the Authority aforeſaid, That the Commiſſioners hereafter named, for the putting this Act in Execution, ſhall be commiſſionated under the Seal of this Province. And there is hereby nominated, conſtituted and appointed for the Execution of this Act, and the Clauſes therein contained,

For the City and County of *New-York*, Capt. *Jacobus van Courtland*, *Peter Jacobus Marius*, *Lawrance Read*, *Thomas Coderington*, and *Adolph Phillips*, Eſqrs. or any three of them, whereof *Jacob van Courtland* is to be one.

For the City and County of *Albany*, *Peter Schuyler*, *Martin Gerrets*, *Albertus Rykman*, *Henrick Ranſler*, and *Gerret Rereſon*, Eſqrs. or any three of them, whereof *Peter Schuyler* is to be one.

For the County of *Ulſter*. *Thomas Garton*, *Tyneijck*, *William Legg*, *William Haynes*, *Weſſel Tynbrook*, Eſqrs. or any three of them, whereof *Thomas Garton* is to be one.

For

For the County of *Richmond*, *Elias Duxberry*, *Dennis Teniſon*, *Andrew Cannon*, *Abraham Lackman*, *John Shadweell*, Eſqrs or any three of them, whereof *Elias Duxberry* is to be one.

For the County of *Weſtcheſter*, *John Palmer*, *John Hunt*, *John Drake*, *Joſeph Theal*, *Johnathan Hart*, Eſqrs. or any three of them, whereof *John Palmer* is to be one.

For *Kings County*, *Jaques Cortilew*, *John Tenniſon*, *Nicholas Stillwell*, *Lucas Stevinſon*, *Joſeph Hegmen*, Eſqrs. or any three of them, whereof *Jaques Cortilew* to be one.

And for *Queens County*, *John Robinſon*, *Nathaniel Pierſon*, *James Clements*, *William Hallet*, jun. *Johnathan Smith*, Eſqrs. or any three of them, whereof *John Robinſon* is to be one.

Provided alwayes, That in caſe of Death, it ſhall be in the Power of the Commander in Chief and Council, to nominate and appoint other Commiſſioners, inſtead of the Commiſſioners deceaſed, at their own diſcretion. Which ſaid Commiſſioners, ſo as aforeſaid nominated and appointed, or in caſe of Death to be nominated and appointed, ſhall in the reſpective Cities and Counties reſpectively, meet together, and perform the ſeveral Powers, Authorities and Directions, in and by this ſaid Act given and appointed. For the true and faithful Execution thereof, they ſhall at the time they receive their Commiſſion, take this following Oath, *Viz.*

YOU ſhall Swear, That you to your Cunning, Wit and Power, ſhall truly and indifferently execute the Powers and Authorities given you by this Commiſſion and Act of Aſſembly, without any Favour, Affection, Corruption, Dread or Malice to be born to any manner of Perſon or Perſons. And as the caſe ſhall require, ye ſhall conſent and endeavour your ſelf, for your part, to the beſt of your knowledge, to the aſſeſſing and taxing the Damage of ſuch Claims and Suits, that ſhall be brought before you, according to Truth, Equity, and the Evidence given you, and in ſuch due and equal Proportions, as in good Conſcience ſhall ſeem meet unto you; and the ſame Powers and Authorities, to your Cunning, Wit and Power, cauſe to be put in due Execution, without Favour, Dread, Malice or Affection. So help you God.

Alwayes provided, and be it hereby further Enacted by the Authority aforeſaid, That in caſe of Error, any Perſon or Perſons ſhall have Liberty to make his or their Appeal unto the Governour and Council. Provided, the Value appealed for exceed the ſum of one hundred Pounds, and that Security be firſt given by the Appellant, to anſwer ſuch Charges as ſhall be awarded, in caſe the firſt Sentence or Decree be affirmed.

And in regard ſome Perſons have commenced and proſecuted, and threaten to commence and proſecute Actions and Suits againſt ſuch of their Majeſties Subjects, for and by reaſon of their acting and

doing, as aforesaid; Therefore for the preventing the Trouble and Charges which the said Subjects might be put to, by means of such Suits, Be it therefore Enacted by the Authority aforesaid, That all Personal Actions, Suits, Molestations, Prosecutions whatsoever, and Judgments and Executions had thereupon, if any be, for or by reason of any of the Premises, are, and be hereby discharged and made void. And if any Action or Suit, declared or intended to be discharged, shall be commenced or prosecuted in any other Court, or after any other manner, than what is declared and appointed by this Act, then every Person so sued, may plead the general Issue, and give this Act, and the special matter in Evindence. And if the Plantiff shall become Non-suit, or forbear further Prosecution, or suffer Discontinuance, or if a Verdict pass against him, the said Defendant shall recover his double Costs, for which he shall have the like Remedy as in case where Costs by Law are given to Defendants.

And since it is the general Peace of this Government, and the good, ease and benefit of all their Majesties Subjects inhabiting within the same, that is only intended by this Act, Be it therefore Enacted by the Authority aforesaid, That all Judges and Justices of their Majesties Courts of Records, and all Mayors and Aldermen of the respective Cities, and all Sheriffs, Clarks, and other Officers within this Province, do take notice of the said Act, and see the same truly executed, according to the Powers, Authorities and Clauses therein contained, any thing contained herein, or in any other Law to the contrary hereof in any wayes notwithstanding.

And that all their Majestes Subjects concerned in the Premises, and who for these causes have absented themselves from the usual places of their Abode, or have with-drawn themselves out of this Province, may have all their causless fears removed, and fully enjoy all the Benefits, Priviledges and Advantages intended them by this Act, Be it therefore further Enacted by the Authority aforesaid, That all and every of such Persons concerned in the Premises, as aforesaid, do within forty days after the Publication hereof, return and repair to their respective Habitations or places of their Abode within this Province, and there use, exercise and follow their respective Occupations, as accustomed, where they shall remain without any other let or molestation than what is required by this Act, and freely possess and enjoy all their Benefits and Protections of their Majesties Laws of *England* and this Province.

Alwayes provided, and be it further Enacted by the Authority aforesaid, That if any Person or Persons concerned in the Premises, as aforesaid, shall neglect to return or repair to their respective Habitations or places of their Abode in this Province, within the time limited and expressed, except all such as shall be at the Publication hereof, beyond the Seas. Then and in such case such Person or

deemed and eſteemed Contemners of their Majeſties Authority and Government over this Province, and loose all the Benefits and Advantages intended them by this Act; and all and every of their reſpective Eſtates, both Real and Perſonal, ſhall be liable and extended to make Satisfaction to all ſuch Suits or Demands as ſhall be made in due Form of the Law againſt them, any thing contained herein to the contrary hereof in any wayes notwithſtanding.

An Act to divide this Province and Dependencies into Shires and Counties.

FOraſmuch as Miſtakes may ariſe about the Limits and Bounds of the reſpective Counties within this Province, for Prevention whereof, *Be* it Enacted by the Commander in Chief and Council, and Repreſentatives, and by the Authority of the ſame, That the ſaid Province be divided into twelve Counties, as followeth.

The City and County of *New-York* to contain all the Iſland commonly called *Minhattans Iſland*, *Manmings Iſland*, the two *Barran Iſlands* and the three *Oyſter Iſlands*, *Manhattans Iſland* to be called the *City of New-York*, and the reſt of the Iſlands the County.

The County of *Weſtcheſter* to contain *Eaſt* and *Weſtcheſter*, *Brouxes* Land, *Fordham*, Mannor of *Pellham*, *Minfords Iſland*, *Richbills Neck*, and all the Land on the Main to the Eaſtward of *Manhattans* Iſland, as far as the Government at preſent extends, and the *Yonkers* Land. And Northwards along *Hudſons* River as far as the High-Land.

The County of *Ulſter* to contain the Towns of *Kingſtone*, *Hurley* and *Marble Town*, *Foxhall* and the *New Pellz*, and all Villages, Neighbourhoods and Chriſtian Habitations on the Weſt ſide *Hudſon's* River, from the *Murderers Creek*, near the High-Lands, to the Sawyers Creek.

The County of *Albany* to contain the Mannor of *Ranſleerſwick*, *Schanectady*, and all the Villages, Neighbourhoods and Chriſtian Plantations on the Eaſt ſide of *Hudſons River*, from the Roel of *Janſens* Creek: And on the Weſt ſide, from the *Sawyers Creek* to the utmoſt end of *Sarraghtoga*.

The *Dutches County* to be, from the Bounds of the County of *Weſtcheſter*, on the South ſide the *High Lands*, along the Eaſt ſide of *Hudſons River*, as far as Roel of *Janſens Creek*. And Eaſtward into the Woods twenty Miles.

The County of *Orange* to begin from the Limits and Bounds of *Eaſt* and *Weſt Jerſey*, on the Weſt ſide of *Hudſons River*, along the ſaid River to the Murderers Creek, or Bounds of the County of *Ulſter*. And Weſtward, into the Woods as far as *Delaware River*.

The

The County of *Richmond* to contain all *Staten Iſland, Shooters Iſland*, and the Iſlands of *Meddow* on the Weſt ſide thereof.

Kings County to contain the ſeveral Towns of *Buſhwick, Bedford, Brookline, Flatbuſh, Flatlands, Neuwtrucht* and *Graves-End*, with the ſeveral Settlements and Plantations adjacent.

Queens County to contain the ſeveral Towns of *Newtown, Jamaica, Fluſhing, Hemſtead, Oyſter-Bay*, with *Horſe Neck*, and the ſeveral out-Farms, Necks, Settlements and Plantations adjacent, and the Iſland called the *Two Brothers*, and *Hullets Iſland*.

The County of *Suffolk* to contain the ſeveral Towns of *Huntington, Smithfield, Brookhaven, Southampton, Southold, Eaſthampton* to *Montauk Point, Shelters Iſland, Iſle of Wight, Fiſhers Iſland* and *Plumb Iſland*, with the ſeveral Out-Farms, Settlements and Plantations adjacent.

Dukes County to contain the Iſland of *Mantucket, Martins Vineyard, Elizabeth Iſland*, and *No Mans Land*.

The County of *Cornwall* to contain *Penny Quid*, and all the Territories in thoſe parts, with the Iſlands adjacent.

An Act for the raiſing and paying one Hundred and Fifty Men, to be forthwith raiſed, for the Defence and Re-inforcement of Albany *for ſix Moneths.*

WHereas the Fronteers of *Albany* are in eminent danger to be loſt, being daily threatened to be invaded by the *French*, their Majeſties declared Enemies. And foraſmuch as the ſafety of this, and all their Majeſties Neighbouring Plantations, doth only depend on having that place well ſecured; and for the effectual doing thereof, Application hath been made unto the Neighbouring Plantations, but hath had no effect; and there being now an abſolute neceſſity for the Re-inforcing of the Fronteers of this Province in the County of *Albany*, as well for the ſecuring their Majeſties neighbouring Plantations, as for the preſerving the *Indians* and this Province. Be it therefore Enacted by the Commander in chief and Council, and Repreſentatives convened in General Aſſembly, and by the Authority of the ſame, That the Commander in chief do raiſe one hundred and fifty Men, with their proper Officers, for the Reinforcement of the Fronteers of this Province in the County of *Albany* aforeſaid, which ſhall remain in the ſaid County, for the Defence thereof, ſix Moneths, to commence on the firſt day of *November* next, and to end the firſt day of *May* then following.

And for the paying and maintaining the ſaid one hundred and fifty men, and their proper Officers, Be it therefore Enacted by the Authority aforeſaid,

aforeſaid, That a Levy of fifteen Hundred Pounds currant Money of this Province, be laid, aſſeſſed, raiſed and levied upon all and every of the Inhabitants, Reſidents and Freeholders of and in this Province, for the paying and maintaining of the ſaid one hundred and fifty men, and their proper Officers, for ſix Months, as aforeſaid, and for no other uſe, intent or purpoſe whatſoever. To be laid, aſſeſſed, raiſed, levyed and paid to their Majeſties Collector and Receiver General for the time being, at their Majeſties Cuſtom-houſe in the City of *New-York*, on the 25th day of *March* next enſuing, which ſhall be in the Year of our Lord 1692. according to the Rates and Proportions following, that is to ſay,

For the City and County of *New-York*, Three Hundred Pounds.
For the City and County of *Albany* one hundred and thirty Pounds.
For the County of *Weſtcheſter*, one hundred and five Pounds.
For the County of *Richmond*, Ninety Pounds.
For the County of *Ulſter* and *Dutches County*, one hundred and eighty ſeven Pounds ten Shillings.
For the County of *Suffolk*, two hundred and ſixty two Pounds ten Shillings.
For *Kings County*, one hundred ninety five Pounds.
For the County of *Orange*, eleven pound five Shillings.
For *Dukes County*, eighteen pound fifteen Shillings.

And be it further Enacted by the Authority aforeſaid, That for the better aſſeſſing, raiſing & paying the ſum of one thouſand five hundred Pounds aforeſaid, The Mayor and Aldermen in the City of *New-York*, the Mayor and Aldermen within the City of *Albany*, with the Juſtices of the Peace for the City and County of *Albany* for the time being, and the Juſtices of the Peace, for the time being, for the ſeveral reſpective Counties aforeſaid, for the ſeveral Counties reſpectively, for the which they ſhall be Juſtices of the Peace, do within forty dayes after the publication hereof, aſſemble and meet together in the Court Houſes for the ſeveral reſpective Cities and Counties, or ſuch other place or places as they ſhall agree upon among themſelves, and ſhall there order that the Aſſeſſors and Collectors for the ſeveral reſpective Cities, Towns, Mannors or Liberties, within their ſeveral Juriſdictions, for the aſſeſſing, collecting and receiving of the publick Rates, for the defraying of the publick Charge of each reſpective City and County aforeſaid, be the Aſſeſſors and Collectors, for the aſſeſſing, collecting or receiving the ſum or ſums of Money herein before mentioned, according to the Proportions before expreſſed, as to the ſaid Mayors, Aldermen and Juſtices ſhall ſeem meet and reaſonable.

And foraſmuch as there are ſeveral Mannors and Juriſdictions within the reſpective Counties aforeſaid, who neglect or do not elect annually or once every year Aſſeſſors or Collectors, whereby the intent of this Act may be fruſtrated, Be it therefore Enacted by the Authority aforeſaid, That if the reſpective Mannors & Juriſdictions within the ſeveral

Counties aforeſaid, ſhall refuſe or neglect to elect Aſſeſſors and Collectors, for aſſeſſing of their reſpective Mannors or Juriſdictions, and for the collecting the ſame, according to the intent and direction of this Act, then and in ſuch caſe the Juſtices of the Peace in the Counties where ſuch Mannors or Juriſdictions are, are hereby impowered and authorized to nominate and appoint Aſſeſſors and Collectors for ſuch Mannors or Juriſdictions as ſhall neglect or refuſe, as aforeſaid. Which Aſſeſſors and Collectors, ſhall, to all intents and purpoſes obſerve the directions of this Act, any thing contained herein to the contrary hereof in any ways notwithſtanding.

And be it further Enacted by the Authority aforeſaid, That the ſaid Mayors, Aldermen and Juſtices of the Peace for the reſpective Cities, Counties, Mannors and Juriſdictions, have, and ſhall have Power and Authority, by virtue of this Act, each of them by himſelf to adminiſter an Oath to the ſaid Aſſeſſors, *Well and truly, equally, impartially, and in due Proportion, as it ſhall appear to them, according to their beſt Underſtanding, to aſſeſs and rate the Inhabitants, Reſidents and Free-holders of the reſpective places for which they ſhall be choſen Aſſeſſors.*

And be it further Enacted by the Authority aforeſaid, That if any Perſon or Perſons, who ſhall be choſen Aſſeſſors or Collectors, ſhall deny, neglect, or unequally and partially aſſeſs, or refuſe to make ſuch Aſſeſſment as by this Act is required, or ſhall deny, neglect, or refuſe to collect any ſum or ſums of Money, in form before mentioned aſſeſſed, that then and in ſuch caſe it ſhall and may be lawfull for any two of their Majeſties Juſtices of the Peace of the Cities and Counties where ſuch Offendors ſhall happen to dwell or reſide, and who by virtue of this Act are required and impowered to do the ſame, by Warrant under their Hands and Seals to commit ſuch Aſſeſſors or Collectors, ſo denying, neglecting, or unequally and partially aſſeſſing, or refuſing to collect, as aforeſaid, to the common Goal, there to remain without Bail or Mainprize till he or they ſhall make Fine or Ranſom to their Majeſties for ſuch Contempt as aforeſaid.

And be it further Enacted by the Authority aforeſaid, That if any Perſon or Perſons, of what Degree or Quality ſoever he or they be within this Province, who ſhall be aſſeſſed or rated any ſum or ſums of Money, by virtue of this Act to be raiſed and levied, ſhall deny, refuſe or delay to pay and ſatisfie the ſame, that then it ſhall and may be lawfull for any ſuch Collector, by virtue of a Warrant under the Hand of any of the Juſtices for the City and County where ſuch Offendors ſhall dwell or reſide, who, by virtue of this Act are required and authorized to grant and iſſue forth ſuch Warrant, to levy the ſame, by diſtreſs and ſale of ſuch Perſon or Perſons Goods and Chattels, returning the Over-plus, if any be, to the Owners, the ſum aſſeſſed and Charges of Diſtreſs and Sale being firſt deducted.

And

And alſo, be it further Enacted by the Authority aforeſaid, That if any Mayor, Alderman or Juſtice of the Peace within this Province, who are hereby required, impowered and authorized to take effectual care, that this Act and every Clauſe therein be duely executed according to the true and genuine ſence and intent thereof, ſhall deny, refuſe, neglect or delay to do, perform, fullfill and execute all or every or any of the Duties, Powers and Authorities by this Act required and impowered, by him or them to be done, performed, fullfilled and executed, and ſhall thereof be lawfully convicted before any of their Majeſties Courts of Record within this Province, he or they ſhall ſuffer ſuch pain by Fine or Impriſonment, as by the Diſcretion of the Juſtices of the ſaid Courts ſhall be adjudged.

And be it further Enacted by the Authority aforeſaid, That if any Action, Bill, Plaint or Information ſhall be brought, moved or preſented at any time hereafter againſt any Perſon or Perſons, for any matter, cauſe or thing done or acted in purſuance or execution of this Act, ſuch Perſon or Perſons ſo ſued or proſecuted in any Court whatſoever, ſhall and may plead the general Iſſue, *Not Guilty*, and give this Act and the ſpecial matter in Evidence; and if the Plantiff or Proſecutor ſhall be non-ſuited, or forbear further Proſecution, or ſuffer Diſcontinuance or Verdict to paſs againſt him, the Defendant or Defendors ſhall have trible Coſts, for which they ſhall have like liberty as in caſe where Coſts by Law are given to Defendants. Provided alwayes, That no Mayor, Aldermen or Juſtices of the Peace ſhall be troubled, ſued, proſecuted or molefted for any omiſſion, offence, or neglect, by virtue of this Act, but within the ſpace of one year after ſuch omiſſion, offence or neglect, and not at any time thereafter, any thing herein contained to the contrary hereof in any wiſe notwithſtanding.

Alwayes provided, and be it further Enacted by the Authority aforeſaid, That the ſeveral Collectors of each reſpective City and County as aforeſaid, ſhall have the liberty to pay the ſeveral and reſpective ſums aſſeſſed, as aforeſaid, at the day aforementioned, in Silver Money, or for want thereof in good ſufficient and merchantable Proviſions at the currant Market Price in Silver Money at *New-York*, any thing contained herein to the contrary hereof in any ways notwithſtanding.

An Act for the Regulating the Buildings, Streets, Lanes, Wharffs, Docks and Allyes of the City of New-York.

WHereas the City of *New-York*, and Metropolis of this Province, was chiefly erected by the Inhabitants thereof for the propagating

ting and encouragement of Trade and Commerce, and for the good, benefit and wellfare of their Majeſties Subjects inhabiting within this Province. And foraſmuch as it is very neceſſary for Traffick and Commerce, that Buildings, Streets, Lanes, Wharffs, Docks and Allyes of the ſaid City be conveniently regulated with Uniformity, for the accommodation of Habitations, Shipping, Trade and Commerce, and that all Impediments and Obſtructions that may retard ſo neceſſary a Work, may be removed, Be it Enacted by the Commander in Chief and Council, and Repreſentatives met in general Aſſembly, and by the Authority of the ſame, That the Mayor, Aldermen and Common-Council of the ſaid City, ſhall and may, at their will and pleaſure, elect, nominate or appoint one or more diſcreet and intelligent Perſon or Perſons to be the Surveyors or Superviſors of their Buildings, Streets, Lanes, Wharffs, Docks and Allyes, and to ſee that the Buildings, Streets, Lanes, Wharffs, Docks and Allyes of the ſaid City be conveniently regulated with Uniformity for the Accomodation of Habitations, Shipping, Trade and Commerce, according to ſuch Rules and Orders of Building and laying out of Streets, Lanes, Wharffs, Docks, and Allyes, as ſhall be eſtabliſhed by the Mayor, Aldermen and Common-Council of the ſaid City, who are hereby authorized and impowered to make ſuch Rules and Orders for the better Regulation, Uniformity and Gracefulneſs of ſuch New-Buildings as ſhall be erected for Habitations, and alſo of ſuch Streets, Lanes, Wharffs, Docks and Alles, as ſhall be found convenient for the good of the Inhabitants. And it ſhall be lawful for the Mayor, Aldermen and Common-Council, or for the Mayor and Aldermen in their Court, to adminiſter an Oath upon the holy Evangeliſts, unto the Surveyors or Superviſors, of the true and impartial Execution of their Office in that behalf.

And whereas in the laying out of the New Lots for Buildings, ſome Controverſie may ariſe, by a Lot or Lots of Ground, which if built upon, would be very incommodious and prejudicial to one of the principal Streets of this City, and hurtful to the Trade and Health of the Inhabitants, Be it therefore Enacted by the Authority aforeſaid, That the Mayor, Aldermen and Common-Council of the ſaid City, for the time being, in Common-Council aſſembled, ſhall, and may, and are hereby impowered and required to obſtruct any Building or Buildings that may narrow the ſaid Street, or any other Street within the ſaid City. And the ſaid Mayor, Aldermen and Common Council ſhall, and may by virtue of this preſent Act, continue the ſaid Street, commonly called the *Broad Street*, according to its preſent Dimenſions, and if in the doing thereof, or in the laying out for the future any Streets, Lanes, Wharffs, Docks or Allyes, and they do take any Perſons Ground, they are to give Notice to the Owners or Parties Intereſted in the Ground, to be ſo taken for the intent as aforeſaid; and to the end that reaſonable Satisfaction may be given for all ſuch Ground as ſhall be taken and imployed for the Uſe aforeſaid, the Commander in chief and Council, may aſſeſs the value of the Lots

now

now in Controverſie; and for other Ground, the Mayor, Aldermen and Common-Council ſhall and may treat and agree with the Owners, and others intereſted therein; and if there be any Perſon that ſhall refuſe to treat in manner aforeſaid, that in ſuch caſe the Mayor and Aldermen in their Court, are hereby authorized, by virtue of this Act to iſſue out a Warrant or Warrants to the Sheriff of the ſaid City, who is hereby required to impannel & return a Jury before the ſaid Court of Mayor and Aldermen. Which Jury, upon their Oathes, to be adminiſtred by the ſaid Court, are to enquire and aſſeſs ſuch Damages and Recompence as they ſhall judge fit to be awarded to the Owners and others intereſted, according to their ſeveral and reſpective Intereſts and Eſtates of any ſuch ground, or any part thereof, for their reſpective Intereſts and Eſtates in the ſame, as by the ſaid Mayor, Aldermen and Common Council ſhall be adjudged fit to be converted to the purpoſes aforeſaid; and ſuch Verdict of the Jury, and Judgment of the ſaid Court of Mayor and Aldermen thereupon, and the payment of the ſaid ſum and ſums of Money ſo awarded or adjudged, to the Owners, or others having Eſtate or Intereſt, or tender, or refuſal thereof, ſhall be binding to all intents and purpoſes, againſt the ſaid Parties, their Heirs, Executors, Adminiſtrators and Aſſigns, and all others claiming any Title and Intereſt to the ſaid Ground, and ſhall be a full Authority to the ſaid Mayor, Aldermen and Common Council to cauſe the ſaid Ground to be converted and uſed for the purpoſes aforeſaid, any thing contrary herein, or in any other Law to the contrary hereof in any wayes notwithſtanding.

And forasmuch as the Filth and Soil of the ſaid City, lying in the publick Streets thereof, doth often prove a common Nuſance unto the Inhabitants and Traders to and from the ſaid City, and very prejudicial to their Health; For the Removal thereof, Be it further Enacted by the Authority aforeſaid, That the Numbers and places for all common Severs, Drains and Vaults, and the Order and manner of Paving and Pitching the Streets, Lanes and Allyes of the ſaid City, ſhall be deſigned and ſet out by the Mayor, Aldermen and Common Council of the ſaid City, together with the ſaid Surveyors or Superviſors appointed in manner aforeſaid; and when they aſſemble ſhall have Power and Authority to order and direct the making of Vaults, Drains and Severs, or to cut into any Drain or Sever already made, and for the altering, enlarging, amending, cleanſing and ſcouring of Vaults, Sinks or common Severs. And for the better effecting thereof, it ſhall and may be lawful to and for the ſaid Mayor, Aldermen and Common Council, together with the Surveyors and Superviſors, at their ſaid Meeting, to impoſe any reaſonable Tax upon all Houſes within the ſaid City, in proportion to the benefit they ſhall receive thereby, for and towards the making, cutting, altering, enlarging, amending, cleanſing and ſcouring all and ſingular the ſaid Vaults, Drains Severs, Pavements and Pitching aforeſaid. And in default of payment of the ſaid ſum to be charged, it ſhall and may be lawful to and for the ſaid

Mayor and Aldermen, *&c.* ſo authorized as aforeſaid, by Order or Warrant under their Hands and Seals, to leavy the ſaid ſum and ſums of Money, ſo aſſeſſed, by diſtreſs and ſale of the Goods of the Parties chargeable therewith, and refuſing or neglecting to pay the ſame, rendring the over-plus, if any be.

Alwayes provided, and be it further Enacted by the Authority aforeſaid, That nothing herein contain'd ſhall be conſtrued to change, alter, ſhorten, lengthen, narrow or enlarge any of the Streets, Allyes and Lanes within this City, as they are now laid out and remain at the Publication hereof. Nor to break thorow any Perſons Ground now in Fence or Encloſed, or to take away any Perſons Houſe or Habitations, any thing herein contained to the contrary hereof in any ways notwithſtanding.

Acts paſſed in the third Seſſions of the General Aſſembly, begun in the City of *New-York, April* 19. 1692.

An Act for the raiſing two hundred Men with their proper Officers for the ſecuring and re-inforcing of Albany *in the Fronteers of this Province.*

WHereas the Forces lately raiſed for the Re-inforcing and Securing the Fronteers at *Albany*, are not to continue in that ſervice any longer than the firſt of *May* next enſuing. And foraſmuch as it is ſtill abſolutely neceſſary for the ſafety of all their Majeſties Neighbouring Collonies and Plantations, as well for the ſecurity of this Province, that there be and remain at that place ſufficieut Force for the Defence thereof. And whereas the preſent State & Condition of this Province is ſuch, that they are not able at this time to make ſufficient Proviſion of Men and Money, for the re-inforcing of that place, as is truly neceſſary for the maintaining ſuch a conſiderable Poſt, which is the only Bull-work of Defence for all their Majeſties Neighbouring Collonies and Plantations in this main of *America*; yet that the ſaid place may not be deſerted, nor the *Indians*, who have been ſo conſtant to us diſcouraged, Be it therfore Enacted by the Commander in chief and Council, and Repreſentatives convened in General Aſſembly, and by the Authority of the ſame, That the Commander in chief do iſſue out his Warrants to the chief Military Officers in the reſpective Cities and Counties under-named, for the raiſing of 200 men, armed as the

Law

Law directs, with their proper Officers, in ſuch Proportions hereafter mentioned, to conſiſt and make two diſtinct Companies of Fuzileers, for the Reinforcement and Security of the Fronteers of this *Province* in the County of *Albany* aforeſaid, which ſhall continue and remain in the ſaid County of *Albany*, for the Defence and Security thereof for the term and ſpace of five Moneths, to commence on the firſt day of *May* next, and to end and terminate on the firſt day of *October* then following.

And be it further Enacted by the Authority aforeſaid, That if any Perſon or Perſons, who in purſuance of ſuch Warrant or Warrants, to be by the Commander in chief iſſued out to the chief Military Officer of each reſpective City and County or Counties, as aforeſaid, ſhall be warned to appear in Arms, in order to the raiſing the 200 men aforeſaid, ſhall neglect delay or refuſe to appear, or otherwiſe abſent him or themſelves ſhall forfeit the ſum of five *Pounds* currant Money, to be levied by Diſtreſs, by Warrant under the Hand and Seal of any Juſtice of the Peace within this Province, on the Goods and Chattels of every ſuch Perſon or Perſons ſo offending as aforſaid, upon a Certificate of ſuch Default, from the Captain or chief Officer of ſuch Company, in or to which the ſaid *Offender* ſhall be liſted or belong, under his Hand & Seal, which ſaid ſum of 5 *l.* ſhall be imployed for the encouragement and raiſing the Quota of men, by this Act, in each reſpective City & County or Counties to be raiſed, as aforeſaid. And in caſe ſuch Perſon or Perſons ſo offending as aforeſaid, ſhall not have Goods and Chattels to be found to pay and ſatisfie the ſum of five Pounds aforeſaid, ſuch Perſon or Perſons, upon ſuch Certificate, and by ſuch Warrant as aforeſaid, ſhall be commited to the common Goal of the ſame City or County or Counties there to remain without Bail or Mainprize for the ſpace or term of five Moneths, or untill he or they ſhall ſatisfie the ſum of five Pounds aforeſaid.

And for the paying and maintaining the ſaid two hundred men, and their proper Officers, Be it further Enacted by the Authority aforeſaid, That a Levy of fifteen Hundred Pounds currant Money of this Province, be laid, aſſeſſed, raiſed and levied upon all and every the Inhabitants, Reſidents and Freeholders of and in this *Province*, for the paying and maintaining of the ſaid two hundred men, and their proper Officers, for five Months, as aforeſaid, and for no other uſe, intent or purpoſe whatſoever. To be laid, aſſeſſed, raiſed, levyed and paid to their Majeſties Collector and Receiver General for the time being, at their Majeſties Cuſtom-houſe in the City of *New-York*, on the firſt day of *September*, next enſuing, which ſhall be in the Year of our Lord 1692. according to the Rates and Proportions following, that is to ſay,

For the City and County of *New-York*, 345 *l.* for the paying and maintaining 46 men, being their Quota and *Proportion* of the 200 men aforeſaid.

For

For the County of *Weſtcheſter*, 127 *l.* 10 *s.* for the paying and maintaining 17 men, being their quota and proportion as aforeſaid.

For the County of *Richmond*, 67 *l.* 10 *s.* for the paying and maintaining of nine men, being their quota and proportion, as aforeſaid.

For the County of *Ulſter* and *Dutches County*, 210 *l.* for the paying and maintaining 28 men, being their quota and proportion, as aforeſaid.

For the County of *Suffolk*, 300 *l.* for the paying and maintaining 40 men, being their quota and proportion, as aforeſaid.

For *Kings County*, 210 *l.* for the paying and maintaining 28 men, being their quota and proportion, as aforeſaid.

For *Queens* County, 225 *l.* for the paying & maintaining 30 men, &c.

For the County of *Orange*, 15 *l.* for the paying and maintaining two men, being their quota and proportion, as aforeſaid.

And alſo, be it Enacted by the Authority aforeſaid, That ſuch ſum or ſums of Money of the ſeveral ſums of 2500 *l.* lately raiſed by the Act of General Aſſemly, for the paying and defraying of the Charges of 250 Fuzileers, with their Officers, raiſed for the ſecuring and defence of *Albany*, which ſhall and doth remain undiſpoſed of, and not imployed for the Uſes aforeſaid, ſhall be laid out and applyed towards the defraying the incidental Charge or Expence which ſhall or may happen or be occaſioned by the raiſing, tranſporting and maintaining of the two hundred Fuzileers, with their proper Officers, before in this Act mentioned and expreſſed.

And be it further Enacted by the Authority aforeſaid, That for the better aſſeſſing, raiſing & paying the ſum of one thouſand five hundred Pounds aforeſaid, The Mayor and Aldermen in the City of *New-York*, for the time being, and the Juſtices of the Peace, for the time being, for the ſeveral reſpective Counties aforeſaid, for the ſeveral Counties reſpectively, for the which they ſhall be Juſtices of the Peace, do within forty dayes after the publication hereof, aſſemble and meet together in the Court Houſes for the ſeveral reſpective City and Counties, or ſuch other place or places as they ſhall agree upon among themſelves, and ſhall there order that the Aſſeſſors and Collectors for the ſeveral reſpective City, Towns, Mannors or Liberties, within their ſeveral Juriſdictions, for the aſſeſſing, collecting and receiving of the publick Rates, for the defraying of the publick Charge of each reſpective City and County aforeſaid, be the Aſſeſſors and Collectors, for the aſſeſſing, collecting or receiving the ſum or ſums of Money herein before mentioned, according to the Proportions before expreſſed, as to the ſaid Mayor, Aldermen and Juſtices ſhall ſeem meet and reaſonable.

And foraſmuch as there are ſeveral Mannors and Juriſdictions within the reſpective Counties aforeſaid, who neglect or do not elect annually or once every year Aſſeſſors or Collectors, whereby the intent of this Act may be fruſtrated, Be it therefore Enacted by the Authority aforeſaid,

ſaid, That if the reſpective Mannors & Juriſdictions within the ſeveral Counties aforeſaid, ſhall refuſe or neglect to elect Aſſeſſors and Collectors, for aſſeſſing of their reſpective Mannors or Juriſdictions, and for the collecting the ſame, according to the intent and direction of this Act, then and in ſuch caſe the Juſtices of the Peace in the Counties where ſuch Mannors or Juriſdictions are, are hereby impowered and authorized to nominate and appoint Aſſeſſors and Collectors for ſuch Mannors or Juriſdictions as ſhall neglect or refuſe, as aforeſaid. Which Aſſeſſors and Collectors, ſhall, to all intents and purpoſes obſerve the directions of this Act, any thing contained herein to the contrary hereof in any ways notwithſtanding.

And be it further Enacted by the Authority aforeſaid, That the ſaid Mayors, Aldermen and Juſtices of the Peace for the reſpective Cities, Counties, Mannors and Juriſdictions, have, and ſhall have Power and Authority, by virtue of this Act, each of them by himſelf to adminiſter an Oath to the ſaid Aſſeſſors, *Well and truly, equally, impartially, and in due Proportion, as it ſhall appear to them, according to their beſt Underſtanding, to aſſeſs and rate the Inhabitants, Reſidents and Free-holders of the reſpective places for which they ſhall be choſen Aſſeſſors.*

And be it further Enacted by the Authority aforeſaid, That if any Perſon or Perſons, who ſhall be choſen Aſſeſſors or Collectors, ſhall deny, neglect, or unequally and partially aſſeſs, or refuſe to make ſuch Aſſeſſment as by this Act is required, or ſhall deny, neglect, or refuſe to collect any ſum or ſums of Money, in form before mentioned aſſeſſed, that then and in ſuch caſe it ſhall and may be lawfull for any two of their Majeſties Juſtices of the Peace of the Cities and Counties where ſuch Offendors ſhall happen to dwell or reſide, and who by virtue of this Act are required and impowered to do the ſame, by Warrant under their Hands and Seals to commit ſuch Aſſeſſors or Collectors, ſo denying, neglecting, or unequally and partially aſſeſſing, or refuſing to collect, as aforeſaid, to the common Goal, there to remain without Bail or Mainpriſe till he or they ſhall make Fine or Ranſom to their Majeſties for ſuch Contempt as aforeſaid.

And be it further Enacted by the Authority aforeſaid, That if any Perſon or Perſons, of what Degree or Quality ſoever he or they be within this Province, who ſhall be aſſeſſed or rated any ſum or ſums of Money, by virtue of this Act to be raiſed and levied, ſhall deny, refuſe or delay to pay and ſatisfie the ſame, that then it ſhall and may be lawfull for any ſuch Collector, by virtue of a Warrant under the Hand of any of the Juſtices for the City and County where ſuch Offendors ſhall dwell or reſide, who by virtue of this Act are required and authorized to grant and iſſue forth ſuch Warrant, to levy the ſame, by diſtreſs and ſale of ſuch Perſon or Perſons Goods and Chattels, returning the Over-plus, if any be, to the Owners, the ſum aſſeſſed and Charges of Diſtreſs and Sale being firſt deducted.

And alſo, be it further Enacted by the Authority aforeſaid, That if any Mayor, Alderman or Juſtice of the Peace within this *Province*, who are hereby required, impowered and authorized to take effectual care, that this Act and every Clauſe therein be duely executed according to the true and genuine ſence and intent thereof, ſhall deny, refuſe, neglect or delay to do, perform, fullfill and execute all or every or any of the Duties, Powers and Authorities by this Act required and impowered, by him or them to be done, performed, fullfilled and executed, and ſhall thereof be lawfully convicted before any of their Majeſties Courts of Record within this Province, he or they ſhall ſuffer ſuch pain by Fine or Impriſonment, as by the Diſcretion of the Juſtices of the ſaid Courts ſhall be adjudged.

And whereas there hath been great neglect in the Juſt ices of the Peace, Collectors and Aſſeſſors, who have delayed executing their reſpective Duties, according to the true intent and meaning of the former Acts made in ſeveral Seſſions of this preſent Aſſembly; For the prevention of the like for the future, Be it further Enacted by the Authority aforeſaid, That if any of the reſpective Cities and Counties aforeſaid ſhall refuſe, neglect or delay to have their reſpective Quota or Proportion of Men at the City of *New-York*, or at the City of *Albany*, on or before the 20th day of *May* now next enſuing, purſuant to the Warrant directed to them from the Commander in chief, as aforeſaid; And alſo, if any of the reſpective Cities and Counties aforeſaid, ſhall refuſe, delay or neglect to make payment of the ſeveral reſpective Sums or Proportions of Money, by them reſpectively to be paid, as aforeſaid, at the time and place above mentioned and appoined, That then, and for every day after the ſaid day afore-mentioned and appointed for the payment thereof, or until the whole Sums and Proportions of each reſpective City and County ſhall be fully paid and ſatisfied, ſuch City and County or Counties that ſhall be defective therein, ſhall each and every of them forfeit and pay for the intent aforeſaid, the farther Sum of five Pounds currant Money aforeſaid, for each dayes default or neglect of having their quota of Men or Payment of their reſpective Proportions at the times appointed.

And for the enabling the Commander in chief to borrow Money, or to agree for Proviſions for the maintaining of the two Companies aforeſaid, that the purpoſes of this Act may be truly attended and executed, Be it Enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Perſon or Perſons to advance & lend to the Commander in chief, *&c.* upon the Credit of this Act any Sum or Sums of Money, not exceeding the Sum of 700 *l.* and to have and receive for the forbearance of all ſuch Money as ſhall be lent, Intereſt not exceeding the Rate of *Ten per Cent. per Annum.*

And to the end that all Monyes and Proviſions which ſhall be ſo lent

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unto the Commander in chief, *&c.* may be well and ſufficiently ſecured out of the Moneys ariſing and payable by this Act, with the Intereſt for the ſame, not exceeding *Ten per Cent. per Annum*, as aforeſaid, Be it further Enacted by the Authority aforeſaid, That their Majeſties Collector and Receiver General for the time being, ſhall ſeperate and keep apart all the Money ariſing by the Rates & Proportions hereby granted, as the ſame ſhall ariſe and be paid unto him by the Receivers or Collectors of the ſame, or by any other Perſon whatſoever, keeping a perfect and diſtinct Account, as the ſame ſhall come in: Which Sum or Sums of Money, ſo by him received, as aforeſaid, ſhall not be ſeperated or paid unto any other Perſon or Perſons whatſoever, but unto ſuch as ſhall lend any Money to the Commander in chief, *&c.* upon the Credit of this Act, who ſhall immediately have a Warrant and an Order for the Repayment, bearing the ſame date in which he paid his Money, wherein ſhall likewiſe be contained the Intereſt for forbearance; and that all Orders for Re-payment ſhall be Regiſtered in courſe, according to the date of the Warrant reſpectively, without preference of one before another. And that all and every Perſon or Perſons ſhall be paid in courſe, according as their Orders ſhall ſtand Regiſtered or entred; and that the Money to come in by this Act ſhall be in the ſame Order lyable to the ſatisfaction of the ſaid reſpective Parties, their Executors, Adminiſtrators or Aſſigns, ſucceſſively, without preference of one before another, and not otherwiſe; and not to be divertible to any other uſe, intent or purpoſe whatſoever.

And be it further Enacted by the Authority aforeſaid, That if any Action, Bill, Plaint or Information ſhall be brought, moved or preſented at any time hereafter againſt any Perſon or Perſons, for any matter, cauſe or thing done or acted in purſuance or execution of this Act, ſuch Perſon or Perſons ſo ſued or proſecuted in any Court whatſoever, ſhall and may plead the general Iſſue, *Not Guilty*, and give this Act and the ſpecial matter in Evidence; and if the Plantiff or Proſecutor ſhall be non-ſuited, or forbear further Proſecution, or ſuffer Diſcontinuance or Verdict to paſs againſt him, the Defendant or Defendors ſhall have trible Coſts, for which they ſhall have like liberty as in caſe where Coſts by Law are given to Defendants. Provided alwayes, That no Mayor, Aldermen or Juſtices of the Peace ſhall be troubled, ſued, proſecuted or molefted for any omiſſion, offence, or neglect, by virtue of this Act, but within the ſpace of one year after ſuch omiſſion offence or neglect, and not at any time thereafter, any thing herein contained to the contrary hereof in any wiſe notwithſtanding.

Alwaves provided, and be it further Enacted by the Authority aforeſaid, That the ſeveral Collectors of each reſpective City and County as aforeſaid, ſhall have the liberty to pay the ſeveral and reſpective ſums aſſeſſed, as aforeſaid, at the day aforementioned, in Silver Money, or for want thereof in good ſufficient and merchantable Proviſions at the currant Market Price in Silver Money at *New-York*, any thing contained herein to the contrary hereof in any ways notwithſtanding.

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An Act for the deſtroying of Wolves.

BE it Enacted by the Commander in chief and Council, and Repreſentatives couvened in General Aſſembly, and by the Authority of the ſame, That for the deſtroying of Wolves, who have lately increaſed very much, to the great diſcouragement of Paſturage, and encreaſe of Sheep and Cattle, That whatſoever *Chriſtian* ſhall kill a grown Wolf upon *Long-Iſland* or *Staten-Iſland*, he ſhall have for each Wolf that ſhall be killed twenty Shillings, to be paid out of the publick Treaſury of each reſpective County where the Wolf ſhall be killed; and for a Wolf Whelp above half a year old, there ſhall be paid, as aforeſaid, ten ſhillings. And whatſoever *Indian* ſhall in like manner kill any Wolf, ſhall have for his Reward, one Matchcoat or twelve Shillings, and for a Wolf Whelp five Shillings, to be paid him as aforeſaid. And if any other County in the Province have a mind to encourage the deſtroying of Wolves, they ſhall do it in ſuch manner and way as to them ſhall ſeem meet. And the Juſtices of the Peace, and other Officers of the reſpective Counties aforeſaid, ſhall take effectual care to ſee this Act and every clauſe therein duely executed accordingly.

Acts passed in the fourth Sessions of the General Assembly, begun in the City of *New-York*, the 14 day of *August*, *Annoq*; *Dom.* 1692. in the 4th Year of their Majesties Reign, King *William* and Queen *Mary*, under the Government of his Excellency *Benjamin Fletcher*, Esq; Captain General and Governour in chief in and over their Majesties Province of *New-York*, and Territories thereon depending in *America*.

An Act for the raising and pay two hundred and twenty Men with their proper Officers, together with the incidental Charges that shall arise thereon, for the Re-inforcement and Security of the Fronteers of this Province, at Albany, *for 7 Months.*

WHereas the Levys appointed for the Defence of the Fronteers of this Province at *Albany*, do expire on the first day of *October* next, and that it is absolutely necessary that there should be continued at that place a considerable Force for the ecurity of this Province, as well as for the necessary Defence of their Majesties Neighbouring Plantations, Be it therefore Enacted by the Governour, Counceil, and Representatives convened in General Assembly, and by the Authority of the same, That his Excellency the Captain General do immediately upon the Publication hereof, issue out his Warrants under his Hand and Seal, to the several and respective Military Officers of the several and respective Counties hereafter named, for the raising of 220 men, well provided with Arms, to be peremptorily at *Albany* on the first day of *October* next ensuing, and there to continue and remain for the Reinforcement and Security of this Province, for the term and space of seven Kalender Moneths, to commence on the said first day of *October*, and to expire on the first day of *May* then next ensuing, in such quota's and proportions in each respective County, as is hereafter specified and expressed, to wit,

For the City and County of *New-York*, sixty effective men.

For the County of *Weſtcheſter*, twenty five effective men.
For the County of *Richmond*, ten effective men.
For *Kings County*, thirty four effective men.
For *Queens County*, forty four effective men.
For the County of *Suffolk*, forty five effective men.
For the County of *Orange*, two effective men.

And be it further Enacted by the Authority aforeſaid, That if any of the reſpective Military Officers in the reſpective Counties aforeſaid, ſhall after the Receipt of the Warrants from the Captain General, in manner aforeſaid, fail, neglect, refuſe or delay to execute the ſaid Warrants, according to the true intent and meaning thereof, ſhall for ſuch their failure, or neglect, refuſal or delay, anſwer the ſame before the Captain General or ſuch other Officers as he ſhall appoint, and there ſuffer ſuch Mulcts, Pains and Punishment, as by the Captain General ſhall be thought convenient, according to the Laws and Articles of War in that caſe made and provided in their Majeſties Realm of *England*, any thing contained herein, or any other Law to the contrary hereof in any wayes notwithſtanding.

And for the paying and maintaining the ſaid two hundred & twenty men, and their proper Officers, Be it further Enacted by the Authority aforeſaid, That a Levy of two Thouſand eight Hundred and ſixty Pounds currant Money of this Province, be laid, aſſeſſed, raiſed and levied upon all and every the Inhabitants, Reſidents and Freeholders of and in this Province, for the paying and maintaining of the ſaid two hundred and twenty men, and their proper Officers, together with the incidental Charges that ſhall ariſe thereon, for ſeven Kalendary Months, as aforeſaid, and for no other uſe, intent or purpoſe whatſoever. To be laid, aſſeſſed, raiſed, levyed and paid to their Majeſties Collector and Receiver General for the time being, at their Majeſties Cuſtom-houſe in the City of *New-York*, on the firſt day of *April* next enſuing, which will be in the Year of our Lord 1693. according to the Rates and Proportions following, that is to ſay,

For the City and County of *New-York*, 780 *l.* for the paying and maintaining 60 men, being their Quota and Proportion of the 220 men and Officers aforeſaid.

For the County of *Weſtcheſter*, 325 *l.* for the paying and maintaining 25 men, being their quota and proportion, as aforeſaid.

For the County of *Richmond*, 130 *l.* for the paying and maintaining of ten men, being their quota and proportion, as aforeſaid.

For the County of *Suffolk*, 585 *l.* for the paying and maintaining 45 men, being their quota and proportion, as aforeſaid.

For *Kings County*, 442 *l.* for the paying and maintaining 44 men, being their quota and proportion, as aforeſaid.

For *Queens* County, 572 *l.* for the paying & maintaining 34 men, being their quota and proportion aforeſaid.

For the County of *Orange*, 26 *l.* for the paying and maintaining two men, being their quota and proportion, as aforeſaid.

And be it further Enacted by the Authority aforeſaid, That for the better aſſeſſing, raiſing & paying the ſum of two thouſand eight hundred and ſixty Pounds aforeſaid, The Mayor and Aldermen in the City of *New-York*, for the time being, and the Juſtices of the Peace, for the time being, for the ſeveral and reſpective Counties aforeſaid, for the ſeveral Counties reſpectively, for the which they ſhall be Juſtices of the Peace, do within forty dayes after the publication hereof, aſſemble and meet together in the Court Houſes for the ſeveral reſpective Cityes and Counties, or ſuch other place or places as they ſhall agree upon among themſelves, and ſhall there order that the Aſſeſſors and Collectors for the ſeveral reſpective Citys, Towns, Mannors or Liberties, within their ſeveral Juriſdictions, for the aſſeſſing, collecting and receiving of the publick Rates, for the defraying the publick and neceſſary Charges of each reſpective City and County aforeſaid, be the Aſſeſſors and Collectors, for the aſſeſſing, collecting or receiving the ſum or ſums of Money herein before mentioned, according to the Proportions before expreſſed, as to the ſaid Mayor, Aldermen and Juſtices ſhall ſeem meet and reaſonable.

And foraſmuch as there are ſeveral Mannors and Juriſdictions within the reſpective Counties aforeſaid, who neglect or do not elect annually or once every year Aſſeſſors or Collectors, whereby the intent of this Act may be fruſtrated, Be it therefore Enacted by the Authority aforeſaid, That if the reſpective Mannors & Juriſdictions within the ſeveral Counties aforeſaid, ſhall refuſe or neglect to elect Aſſeſſors and Collectors, for aſſeſſing of their reſpective Mannors or Juriſdictions, and for the collecting the ſame, according to the intent and direction of this Act, then and in ſuch caſe the Juſtices of the Peace in the Counties where ſuch Mannors or Juriſdictions are, are hereby impowered and authorized to nominate and appoint Aſſeſſors and Collectors for ſuch Mannors or Juriſdictions as ſhall neglect or refuſe, as aforeſaid. Which Aſſeſſors and Collectors, ſhall, to all intents and purpoſes obſerve the directions of this Act, any thing contained herein to the contrary hereof in any ways notwithſtanding.

And be it further Enacted by the Authority aforeſaid, That the ſaid Mayors, Aldermen and Juſtices of the Peace for the reſpective Cities, Counties, Mannors and Juriſdictions, have, and ſhall have Power and Authority, by virtue of this Act, each of them by himſelf to adminiſter an Oath to the ſaid Aſſeſſors, *Well and truly, equally, impartially, and in due Proportion, as it ſhall appear to them, according to their beſt Underſtanding, to aſſeſs and rate the Inhabitants, Residents and Free-holders of the reſpective places for which they ſhall be choſen Aſſeſſors.*

And be it further Enacted by the Authority aforeſaid, That if any Perſon or Perſons, who ſhall be choſen Aſſeſsors or Collectors, ſhall deny, neglect, or unequally and partially aſſeſs, or refuſe to make ſuch

ſuch Aſſeſſment as by this Act is required, or ſhall deny, negleet, or refuſe to collect any ſum or ſums of Money, in form before mentioned aſſeſſed, that then and in ſuch caſe it ſhall and may be lawfull for any two of their Majeſties Juſtices of the Peace of the Cities and Counties where ſuch Offendors ſhall happen to dwell or reſide, and who by virtue of this Act are required and impowered to do the ſame, by Warrant under their Hands and Seals to commit ſuch Aſſeſſors or Collectors, ſo denying, negleeting, or unequally and partially aſſeſſing, or refuſing to collect, as aforeſaid, to the common Goal, there to remain without Bail or Mainpriſe till he or they ſhall make Fine or Ranſom to their Majeſties for ſuch Contempt as aforeſaid.

And be it further Enacted by the Authority aforeſaid, That if any Perſon or Perſons, of what Degree or Quality ſoever he or they be within this Province, who ſhall be aſſeſſed or rated any ſum or ſums of Money, by virtue of this Act to be raiſed and levied, ſhall deny, refuſe or delay to pay and ſatisfie the ſame, that then it ſhall and may be lawfull for any ſuch Collector, by virtue of a Warrant under the Hand & Seal of any of the Juſtices for the City and County where ſuch Offendors ſhall dwell or reſide, who, by virtue of this Act are required and authorized to grant and iſſue forth ſuch Warrant, to levy the ſame, by diſtreſs and ſale of ſuch Perſon or Perſons Goods and Chattels, returning the Over-plus, if any be, to the Owners, the ſum aſſeſſed and Charges of Diſtreſs and Sale being firſt deducted.

And alſo, be it further Enacted by the Authority aforeſaid, That if any Mayor, Alderman or Juſtice of the Peace within this Province, who are hereby required, impowered and authorized to take effectual care, that this Act and every Article and Clauſe therein be duely executed according to the true intent thereof, ſhall deny, refuſe, neglect or delay to do, perform, fullfill and execute all or every or any of the Duties, Powers and Authorities by this Act required and impowered, by him or them to be done, performed, fullfilled and executed, and ſhall thereof be convicted before his Excelleney the Captain General and Conncil, or before any of their Majeſties Courts of Record within this Province, he or they ſhall ſuffer ſuch pain by Fine or Impriſonment, as by the Diſcretion of the ſaid Governour and Captain General and Council, and the Juſtices of the ſaid Courts ſhall be adjudged.

And be it further Enacted by the Authority aforeſaid, That if any Action, Bill, Plaint or Information ſhall be brought, moved or preſented at any time hereafter againſt any Perſon or Perſons, for any matter, cauſe or thing done or acted in purſuance or execution of this Act, ſuch Perſon or Perſons ſo ſued or proſecuted in any Court whatſoever, ſhall and may plead the general Iſſue, *Not Guilty*, and give this Act and the ſpecial matter in Evidence; and if the Plantiff or Proſecutor ſhall be non-ſuited, or forbear further Proſecution, or ſuffer Diſcontinuance or

Verdict

Verdict to paſs againſt him, the Defendant or Defendants ſhall have trible Coſts, for which they ſhall have like Remedy, as in caſe where Coſts by Law are given to Defendants. Provided alwayes, That no Mayor, Aldermen or Juſtices of the Peace ſhall be troubled, ſued, proſecuted or moleſted for any omiſſion, offence, or neglect, by virtue of this Act, but within the ſpace of one year after ſuch omiſſion offence or neglect, and not at any time thereafter, any thing herein contained to the contrary hereof in any wiſe notwithſtanding.

Alwayes provided, and be it Enacted by the Authority aforeſaid, That the ſeveral Collectors of each reſpective City and County, as aforeſaid, ſhall have the liberty to pay the ſeveral and reſpective ſums aſſeſſed, as aforeſaid, at the day aforementioned, in currant Silver Money, at *New-York*, or for want thereof in good ſufficient and merchantable Proviſions at the Rates and *P*rices hereafter ſpecified and expreſſed, to wit, good and merchantable *P*ork at the Rate of Fifty Shillings *per* Barrel, the *B*arrel well Re-packed by the ſworn *P*acker of *New-York*, and the *B*arrel containing thirty one Gallons and half *Wincheſter* Meaſure, at leaſt. *B*eef at the Rate of thirty two Shillings and ſix Pence *per* Barrel, well re-packed by the ſworn Packer of *New-York* aforeſaid, the Barrel to contain thirty one Gallons and half *Wincheſter* Meaſure, at leaſt. Good merchantable Winter Wheat at four Shillings *per* Buſhel. Tryed Tallow at four *P*ence half Penny *per* Pound.

An Act for the raiſing and paying of Eighty Men in Ulſter *and* Dutches County, *to be imployed for the Re-inforcing and Security of* Albany, *from the 15th Day of* December *next, to the firſt of* March *then next enſuing.*

WHereas it is convenient that the County of *Ulſter* and *Dutches County* ſhould be excuſed from their Quota's of 300 Men, ſince they are to provide eighty men for the Re-inforcement of *Albany* in the time of the moſt eminent danger, Be it Enacted by the Governour and Council, and Repreſentatives convened in General Aſſembly, and by the Authority of the ſame, That the Governour do iſſue out his Warrant under his Seal to the Military Officers of *Ulſter* and *Dutches County*, to levy eighty effective Men, with their Arms to be peremptorily at *Albany* on the 15th day of *December* next, and there to continue and remain for the Re-inforcement, Security and Defence of the Fronteers there, until the firſt day of *March* then next following And alſo that the ſaid Captain General would form the ſaid Number of eighty effective men into ſuch Companies as he ſhall think convenient, and to

Commiſſionate and appoint ſo many Officers over them as he ſhall think needful in the ſaid County.

And be it further Enacted by the Authority aforeſaid, That the ſaid Counties of *Ulſter* and *Dutches County*, ſhall at their own proper Coſt and Charge well and ſufficiently provide, that the ſaid eighty effective men be well ſupplyed with good and wholſom Proviſions of *Beer*, *Bread* and Meat, and Ammunition, during the time that they ſhall be imployed in the ſervice aforeſaid, and alſo take effectual care that all and every of the ſaid effective Men be well paid, according to the Kings eſtabliſhment, after the expiration of the ſaid Service; and likewiſe, that they ſhall pay and ſatisfie ſuch Officers as ſhall be Commiſſionated and appointed over them, according to the Kings eſtabliſhment aforeſaid.

And be it further Enacted by the Authority aforeſaid, That if any Officer, Civil or Military, within the ſaid County, ſhall delay, neglect or refuſe to perform and execute the ſeveral and reſpective Articles and Clauſes of this Act, according to the true intent and meaning thereof, he or they ſo neglecting, refuſing or delaying, ſhall be lyable to ſuch Penalties reſpectively, as are in caſe of ſuch refuſal, neglect or delay provided in the other Act of this preſent Seſſions, entituled, *An Act for raiſing and paying two hundred and twenty Men, &c.*

Acts paſſed in the fifth Seſſions of General Aſſembly, begun in the City of *New-York*, the 24*th* of *October*, 1692.

Act for eſtabliſhing a Revenue upon their Majeſties, and for defraying the publick and neceſſary Charges of the Government.

THE Repreſentatives of their Majeſties Province of *New-York*, convened in General Aſſembly, taking into their Conſideration that the Act made for eſtabliſhing a Revenue for the defraying the publick Charges of the Province, doth expire and terminate, according to the Limitations in the ſaid Act made and provided, on the eighteenth day of *May* next; And they being likewiſe ſenſible of the great and urgent occaſions which do daily preſs their Majeſties to an extraordinary Expence for the Defence of this their Province and Dominion, againſt the Deſigns and Invaſions of the common Enemy: And finding it alſo neceſſary

neceſſary that in this time of ſo great and eminent Danger, that their Majeſties Government over this Province ſhould be honourably ſupported and maintained, They, in moſt Thankful Acknowledgment of their Majeſties tender care of the Wellfare of their Subjects in this Province, have chearfully and unanimouſly, for the purpoſe aforeſaid, given and granted, and do hereby give and grant to their Majeſties, the ſeveral Rates and Duties of Excile herein after mentioned, and do moſt humbly beſeech that it may be Enacted, And Be it therefore Enacted by the Governour and Council, and Repreſentatives now met in General Aſſembly, and by the Authority of the ſame, that from and after the 18*th* Day of *May* next, which ſhall be in the Year of our Lord 1693. There ſhall be throughout this their Majeſties Province of *New-York* and the Territories depending thereon in *America*, Raiſed, Levyed, Collected, and Paid, for the purpoſe and intent aforeſaid, during the ſpace and term of Two Years, from the eighteenth Day of *May* aforeſaid, and no longer, the Rates and Duties of Excile herein after mentioned, in manner and form following, that is to ſay,

For every Gallon of Rum, Brandy and Diſtilled Liquors that ſhall be Imported into this Province and Dependencies aforeſaid, the ſum of Four Pence currant Money of this Province.

And for every Pipe of *Madera*, *Malmſey*, *Fyall*, *St. Georges*, *Piſado*, *Canary*, *Mallego*, *Sherry*, and all ſorts of Sweet Wines, the Sum of Forty Shillings currant Money aforeſaid. And ſo in proportion for all greater and ſmaller Quantities Imported as aforeſaid.

And for every Hogſhead of Red, White and Rheniſh Wines, the Sum of Twenty Shillings currant Money aforeſaid. And ſo in proportion for all greater and ſmaller Quantities, Imported aforeſaid.

And upon all other Merchandize Imported into this Province and Dependencies aforeſaid, the Sum of Forty Shillings currant Money aforeſaid, for every Hundred Pound prime Coſt, except theſe hereafter ſpecified, (*viz.*) *Salt*, *Brick*, *Pantyle*, *Coals*, *Fiſh*, *Sugar*, *Maloſſos*, *Cotton Wool*, *Ginger*, *Logwood*, *Brazelletto*, *Fuſtick*, or any other ſort of Dying Wood, *Weſt India Hydes*, *Tobacco*, *Bullion*, *Plate*, *Cacco*, *Pork*, *Oyl*, *Tar*, *Flax*, *Soap*, *Candles*, *Tallow*, *Cheeſe*, *Butter*, *Beef*, *Whalebone*, *Hops*, *Apples*, *Pears*, *Syder*, *Fire-Wood*, *Planks*, *Boards*, *Pleitry*, *Beaver*, *Sheeps Wool*, *Onions*, Dreſſed and Undreſſed *Deer Skins*, *Honey*, *Bees Wax*, *Bay Wax*, *Indian Corn*, *Wheat*, *Barley*, *Rye Peaſe*, or any other ſort of *Grain*, or any other thing of the Growth and Production of our Neighbouring Collonies and Plantations in *America*.

And be it further Enacted by the Authority aforeſaid, That there be alſo given and granted unto their ſaid Majeſties, for the intent aforeſaid, upon all Merchandize, commonly called by the Name of *Indian Goods*, as Duffils, Stroads, Blankets, Plains, half Thicks, Woolen Stockins, White Ozenburgs, Kettles, Hatchets, Hoes, Red Lead, Vermilion, Cotten, Red Kerſies, Knives, Indian Haberdaſhery and other Indian Goods, the Sum of five Pounds currant Money aforeſaid, for every hundred

hundred Pound prime Coſt, which ſhall be imported into this Province and Dependencies aforeſaid, over and above the forty Shillings for every hundred Pounds prime Coſt before given and granted to their Majeſties by this preſent Act. And that the value of the prime Coſt ſhall be at the Rates hereafter mentioned, *Viz.*

Indian Duffills to be valued at Two Shillings and 4 pence *per* Yard.
Indian Strouds, half a piece four Pounds, a whole piece eight Pounds.
Indian Blankets, each piece four Pounds.
Indian plain Cotten, eighten Pence *per* Yard.
Half Thicks, two Shillings and two Pence *per* Yard.
Indian white Ozenburgs, the English ell, eight Pence.
Indian Kettles, under eight Gallons, ſix Pounds *per* hundred weight.
Indian Hatchets, twelve Shillings *per* Dozen.
Indian Hoes, twelve Shillings *per* Dozen.
Red Lead, twenty Shillings *per* Hundred weight.
Vermilion, four Shillings *per* Pound.
Cotten, ſixteen Pence *per* Yard.
Red Kerſey, two Shillings ſix Pence *per* Yard.
Knives, three Shillings *per* Dozen.
Indian Shirts, twenty Shillings *per* Dozen.
Indian Drawing Knives, Looking-Glaſſes, Indian Wooden Combs, Indian Beeds, Tobacco in Rolls, Indian Bells, Sciſſars Jews Harps, Indian Points, Drills, Tobacco Pipes, little painted Boxes, Auls, Sword Blades, Copper Tobacco Boxes, Tinſey Lace, Indian Gimp Lace, Needles, Tobacco Tongs, Indian Powder Horns, Indian Woolen Stockings, and Indian Steels, the Sum of ſix Pounds currant Money aforeſaid, over and above the two *per Cent.* aforeſaid, for every Hundred Pounds value prime Coſt.

And be it further Enacted by the Authority aforeſaid, That there be alſo given and granted unto their Majeſties for the intent aforeſaid, for every Barrel of Powder, ſix Shillings,
For every Hundred Pound of Lead, ſix Shillings.
For every Gun, with or without a Lock, Six Shillings.
For every Gallon of Rum, four Pence, currant Money aforeſaid that ſhall be carried up *Hudſon*'s River in any Veſſel, Sloop or Canow or any other way whatſoever.

And be it further Enacted by the Authority aforeſaid, That there be alſo given and granted unto their ſaid Majeſties, for the purpoſe aforeſaid, the Duties of Exciſe upon all Liquors retailed throughout the Province and Dependencies aforeſaid, under the Quantity of five Gallons, the Sum of Twelve Pence currant Money aforeſaid, for each Gallon ſo Retailed (Beer and Syder only excepted.) And likewiſe the Sum of Six Shillings for each Barrel of Beer and Syder ſold by Retail throughout the Province.

And it is further Enacted by the Authority aforeſaid, That there be given

given and granted, and there is hereby further given and granted unto their ſaid Majeſties, for the Uſe aforeſaid, a Rate and Duty upon the Furs and Peltry hereafter mentioned, that ſhall be exported out of this Province and Dependencies, that is to ſay,

For every Beaver Skin, commonly called a whole Beaver, the ſum of Nine *Pence* currant Money aforeſaid. And that all other Furs and Peltry be rated accordingly, that is to ſay,

For two half Beavers, the ſum of Nine Pence currant Money aforeſaid.

For four Laps, Nine Pence.
For three Drillings, Eighteen Pence.
For ten Raccons, Nine Pence.
For four Foxes, Nine *Pence*.
For four Fiſhers, Nine *Pence*.
For five Cats, Nine Pence.
For ſix Minks, Nine Pence.
For one Otter, ſix Pence.
For two Bear Skins, Nine Pence.
For twenty four Musk Rats, Nine *Pence*.
For ten Matters, Nine Pence.
For every twenty four Pound of Deer and Muſe Skins, Nine Pence.
And for every Ox, Cow and Bull Hide ſlaughtered in the Province and Dependencies, ſix Pence.
And all other Peltry to be valued to a whole Beaver, nine Pence.

And for the due and orderly collecting of the aforeſaid Rates and Duties of Exciſe, and alſo for preventing of Frauds and Imbezelments of the ſaid *Rates* and Duties of Exciſe, Be it further Enacted by the Authority aforeſaid, That all *Ships* & Veſſels whatſoever that ſhall come to any *Port*, Creek or Harbour within this Province and Dependencies to Trade or Traffick, the Maſter, Mate or Purſer ſhall come to ſuch place or places as ſhall be appointed by the Governour for the time being, and there make Report of all ſuch parcel or parcels of *Merchandize* and other things, that he or they have on Board the ſaid Ship or Veſſel, and alſo declare upon their Corporal Oath, *That he or they have not broke Bulk ſince his Arrival within this Province, before he or they made ſuch Report as aforeſaid.*

And alſo, all *Merchants* that have any Goods or *Merchandize* on Board ſuch Ships or Veſſels, as aforeſaid, ſhall, at ſuch place or places as is above directed, make a true and diſtinct Entry of all ſuch parcel or parcels of Goods or *Merchandize* he hath aboard ſuch Ship or Veſſel, according to the prime Coſt. And if any Difference ſhould ariſe about the Value of the ſaid Goods, Their *Majeſties* Collector for the time being is hereby Authorized to adminiſter to all or any ſuch Perſon or Perſons, making ſuch Entry, their Corporal Oath, *That the ſaid Entry is according to the Invoice or Invoices ſent to them from the place or places from whence ſuch Goods or Merchandize did come.*

And it is further Enacted by the Authority aforeſaid, That if any Maſter, Mate or Purſer of any Ship or Veſſel whatever, or any Merchant, Factor, or other, ſhall, contrary to theſe Rules above directed, break Bulk, or Land any Goods or Merchandize whatſoever, before he or they make Report or Entry, and pay ſuch Duties as is required by this Act, then and in ſuch caſe the Maſter of ſuch Ship or Veſſel that ſhall break Bulk before making ſuch Report, as aforeſaid, ſhall upon Proof made thereof by two ſufficient and lawful Evidences, forfeit his ſaid Ship or Veſſel, with all her Tackle, Furniture and Ammunition, one Third unto their Majeſties, one Third unto the Governour, and one Third to the Informer; To be ſued for in any Court of Record within this Province, by Bill, Plaint or Information, wherein no Eſſoyn, Protection or Wager of Law ſhall be allowed. And alſo, all ſuch Goods as ſhall be Landed without Entry made, as aforeſaid, ſhall be in like manner forfeited, one Third unto their Majeſties, one Third to the Governour, and one Third to the Informer, to be ſued as aforeſaid.

And be it further Enacted by the Authority aforeſaid, That all Maſters of Ships or Veſſels that are within this Province, and do not belong unto the ſame, or any part thereof, and bound to any Port within or without this Province, ſhall, before they take any Merchandize above expreſſed, come to ſuch place or places as ſhall be appointed for the collecting the Rates and Duties eſtabliſhed by this Act, and there make Entry and Report of their Deſign, and enter into Bond, to the value of One Thouſand Pounds, currant Money of *New-York*, with ſufficient Sureties, *That they ſhall not take on Board, directly or indirectly, any Goods or Merchandize, afore recited and expreſſed, without ſuch Permit or Certificate from the Collector, or any having Authority under him, for the ſame.* And if they do take on Board any Goods or Merchandize afore recited and expreſſed, contrary to the true intent and meaning of this Act, then they ſhall forfeit their ſaid Bond, to be ſued within three Months after ſuch Fact committed, or otherwiſe to be void, and of no force and virtue.

And all Maſters of Ships, Sloops Boats, or any other Veſſel belonging to this Province and its Dependencies, ſhall once in the Year repair to the Cuſtom-Houſe, or to other place or places that ſhall be appointed for that purpoſe, and there enter into Bond, to the value of One Hundred Pounds, currant Money aforeſaid, *That they ſhall not directly or indirectly take on Board and carry away out of this Province, any of the aforeſaid Goods and Merchandize, without firſt making Entry thereof, and paying ſuch Rates and Duties as are before recited and expreſſed.* And if they do take on Board any of the aforeſaid Goods or Merchandize, without making Entry thereof, or paying the Rates and Duties aforeſaid, then the ſaid Bond ſhall be forfeited.

And for the due and orderly collecting of all Duties of Exciſe hereby given

given and granted, Be it further Enacted by the Authority aforesaid, That all Retailers of Wine, Rum, Brandy, or any other strong Liquors, within this Province or Dependencies, shall upon their purchase and receipt of all such Liquor or Liquors before expressed and Exciseable, come to the Office or Offices of the Excise, and there, or with him, make Entry of all such Liquor or Liquors as they shall buy or receive, and pay such Duties as are hereby appointed, within twenty four Hours, or at such convenient time as the Officer of the Excise shall appoint. And on Default thereof, all such Liquors as shall be found in any Retailers House or Ware-house, Celler, or other place belonging unto him within this Province or Dependencies, and have not been duely entred and paid the Duties and Excise, as aforesaid, Then and in such case, upon the Testimony of two Evidences before any Justice of the Peace within this Province and Dependencies, the said Retailer or Retailers so offending in the Premises, shall forfeit all such Liquors, and three times the value thereof, one third to their Majesties, one third to the Governour, and one third to the Informer, who shall prosecute the same before any Justice of the Peace throughout this Province and Dependencies, who are hereby Authorized and Impowered to hear and determine the same, and if need be, to issue out their Warrant for the seizing and condemning of all such Liquor forfeited, as aforesaid, and for committing to Goal all such Retailers of Liquors who have not entered and paid the Duties of Excise in manner aforesaid, there to remain without Bail or Mainprize until they shall satisfie and make payment of three times the Value of such Liquors seized and forfeited, as aforesaid.

And be it furrher Enacted by the Authority aforesaid, That if any Person or Persons within this Province and Dependencies, not being duely Licenced, shall at any time hereafter presume to sell by Retail any the Liquors aforesaid, that is to say, a less Quantity at one time, than five Gallons, the Person so offending shall forfeit and pay the sum of Five Pounds currant Money aforesaid for every such Offence, being thereof convict by the Oath of two or more Evidences, to be sued as aforesaid before any Justice of the Peace throughout the Province, and to be imployed in such manner and proportion as aforesaid.

Alwayes provided, and it is the true intent and meaning of this Act, That no Retailers of Liquors under five Gallons, or any other that sell any Liquor or strong Liquors, shall take any such Liquor into their Houses, Cellers or Ware-houses, or into any other place belonging unto them, in *New-York* and *Albany*, but by the hands of the sworn Porters, under the Penalty aforesaid, to be sued and recovered for the Uses aforesaid, in manner and form as aforesaid. Alwayes provided, and it is hereby understood, that there shall no Duty be paid, nor Forfeiture upon any Goods or Merchandize, that are not landed within this Province and Dependencies Alwayes provided, That all Merchants qualified to Trade by the Acts of Navigation and Regulating the Plan-

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tation Trade, coming into this Province, or any part thereof, be well and honeſtly treated and demeaned for ſuch things as by this Act is granted, without Oppreſſion to be done to them, paying the Duties aforeſaid.

An Act for the Eſtabliſhing Courts of Judicature for the eaſe and benefit of each reſpective City, Town and County within this Province.

WHereas the Act for ſettling Courts of Judicature within this Province, doth expire by its own Limitation in *April* next. And whereas the orderly Regulation, and the Eſtabliſhment of Courts of Juſtice throughout this Province, as well in reſpect of Time as Place, doth tend very much to the Honour and Dignity of the Crown, as well as to the Eaſe and Benefit of the Subject, Be it therefore Enacted by the Governour and Council, and Repreſentatives convened in General Aſſembly, and it is hereby Enacted and Ordained by the Authority of the ſame, That every Juſtice of the Peace that reſides within any Town or County within this Province, are hereby fully impowered and authorized to have Cognizance of all Cauſes, Caſes of Debt and Treſpaſs to the Value of Forty Shillings or under, which Cauſes and Caſes ſhall be heard, tryed and finally determined without a Jury, by every Juſtice of the Peace that reſides within any Town or County within this Province, *&c.* he taking unto his Aſſiſtance, at the time of his hearing and determining ſuch Cauſes or Caſes of Debt and Treſpaſs to the value of Forty Shillings or under, one of the Free-holders of the Town and Place where the Cauſe of Action doth ariſe: The proceſs of Warning ſhall be by a Summons under the Hand of the Juſtice, directed to the Conſtable of the Town or Precinct, or any deputed by him where the the *Parry* complained againſt doth live; which Summons being *Perſonally* ſerved, or left at the Defendants Houſe two dayes before the Day of Hearing of the Plaint, ſhall be ſufficient Authority to and for the ſaid Juſtice, aſſiſted with one of the Free-holders, as aforeſaid, to proceed on ſuch Cauſe and Cauſes, and determine the ſame in the Defendants abſence, and to grant Execution thereupon againſt the Defendants Perſon, or for want thereof, his Eſtate, which the Conſtable of the Town or *Precinct*, or his *Deputy*, ſhall and may ſerve. Alwayes provided, and be it further Enacted by the Authority aforeſaid, That if the *Plantiff* or *Defendant* ſhall deſire a Jury, it ſhall be allowed, but at the proper Coſt and Charges of the *Perſon* deſiring the ſame.

And for the encreaſe of Virtue and the diſcouraging of Evil-*Doers*, Be it further Enacted by the Authority aforeſaid, That there ſhall be held and kept in every reſpective City & County within this *Province*, at

at the times and places hereafter named and expreſſed, a Court of Seſſions of the Peace, that is to ſay,

For the City and County of *New-York* and *Orange County*, at the City Hall of the ſaid City, four General Quarter-Seſſions of the Peace annually, and every Year, upon the firſt *Tueſday* of *May*, the firſt *Tueſday* in *Auguſt*, the firſt *Tueſday* in *November*, and the firſt *Tueſday* in *February*.

For the City and County of *Albany*, three General Seſſions of the Peace, at the City Hall of the ſaid City annually, and every Year, on the firſt *Tueſday* in *June*, on the firſt *Tueſday* in *October*, and on the firſt *Tueſday* of *February*.

And for the County of *Weſtcheſter*, two General Seſſions of the Peace annually, and every Year at *Weſtcheſter*, on the firſt *Tueſday* of *June*, and on the firſt *Tueſday* of *December*.

And for the County of *Ulſter* and *Dutches County*, two General Seſſions of the Peace annually, and every Year at *Kingſton*, on the firſt *Tueſday* of *March*, and the firſt *Tueſday* of *September*.

And for the County of *Richmond*, two General Seſſions of the Peace annually, and every Year at the Court Houſe in the ſaid County, on the firſt *Tue day* in *March*, and the firſt *Tueſday* of *September*.

And for *Kings County*, two General Seſſions of the Peace annually, and every Year at *Flatbuſh*, on the ſecond *Tueſday* of *May*, and on the ſecond *Tueſday* of *November*.

And for *Queens County*, two General Seſſions of the Peace annually, and every Year at *Jamaica*, on the firſt *Tueſday* in *May*, and on the third *Tueſday* of *September*.

And for *Suffolk County*, two General Seſſions of the Peace annually, and every Year, on the laſt *Tueſday* in *March* at *Southampton*, and on the laſt *Tueſday* of *September* at *Southold*. Which General Seſſions of the Peace in each reſpective City and County aforeſaid, ſhall only hold and continue for the ſpace and time of two dayes, and no longer.

And for the more Regular and Beneficial Diſtribution of Juſtice to the Inhabitants of each reſpective County aforeſaid, Be it further Enacted by the Authority aforeſaid, That there ſhall be kept and holden a Court of *Common Pleas* in each reſpective County aforeſaid, at the Times and Places hereafter named and mentioned, That is to ſay, At ſuch Places in each reſpective County, as the ſaid General Seſſions of the Peace are to be kept, and to begin the next day after the Seſſions terminate, and then only to hold and continue for the ſpace and time of Two Dayes after, and no longer. And that there be a Judge, aſſiſted with three Juſtices of the Peace in each reſpective County appointed and commiſſionated to hold the ſame Court of Pleas, three whereof to be a Quorum. And that the ſeveral and reſpective Courts of Pleas hereby eſtabliſhed, ſhall have Power and Juriſdiction to Hear, Try, and finally determine all Actions or Cauſe of Actions, and all Matters and Things and Cauſes tryable at the Common Law, of what Nature or Kind whatſoever; ſo that the Action or Cauſe of Action,

the Matter, Thing and Cauſe Tryable, and the Nature and Kind thereof doth not relate to or concern Titles of Land. *Provided* always, and it is hereby Enacted, That there ſhall not be any Appeal or Removal by *Habeas Corpus*, of any Perſon, or of any Action or Suit, or of any Judgment or Execution, that ſhall be determined in the ſaid Courts of Pleas, to the Value of Twenty Pounds or under, any thing contained herein to the contrary hereof in any wayes notwithſtanding.

And it is further Enacted by the Authority aforeſaid, That the Courts of Mayors and Aldermen of the reſpective Cities of *New-York* and *Albany*, ſhall have in each of their reſpective Cities the Powers and Authorities to Hear, Try and finally to Determine all ſuch Suits and Actions of their Corporations, as is commonly cogniźable before them. From which final Determination there ſhall not be any Appeal or Removal by *Habeas Corpus*, of any Perſon, or of any Action or Suit, or of any Judgment or Execution to the value of Twenty Pounds or under, any thing herein contained to the contrary hereof in any wayes notwithſtanding. To which reſpective Courts of Common Pleas there ſhall belong, and be appointed and commiſſionated for that purpoſe, one Clark of the Court, to draw, enter and keep the Records, Declarations, Pleas and Judgments, there to be had and made; and one Marſhal or Cryer of the Court, to call the Jurors, and proclaim the Commands and Orders of the Court, And for the more regular proceedings in the ſaid Court, all Proceſs and Writs, of what Nature ſoever, for the command of Perſons to appear, and to execute the Judgments and Executions of the reſpective Courts aforeſaid, ſhall be directed to the reſpective Sheriffs of each County aforeſaid, and executed by them, their Under-Sheriffs or Deputy or Deputies. And all Proceſs and Writs for Actions betwixt party and party in the ſaid Court, ſhall iſſue out of the Office of each reſpective Clark of each reſpective Court, ſigned, *Per Curiam*. Provided alwayes, That nothing herein contained ſhall be taken or conſtrued to take away the Priviledge of the Town of *Kingſton* in the County of *Ulſter*, for the hearing and determining all Actions and Cauſe of Actions ariſing within the Liberties of the ſaid Town, to the value of five Pounds & under, any thing contained herein to the contrary hereof in any ways notwithſtanding.

And that all their Majeſties Subjects inhabiting within this Province may have all the good, proper, juſt, eaſie and beneficial wayes for the ſecuring and recovering their juſt Rights and Demands within the ſame, Be it further Enacted, and it is hereby further Enacted and Ordained by the Authority aforeſaid, That there ſhall be at *New-York* a *Supream Court of Judicature*, the which ſhall conſiſt of five Juſtices, which ſhall be appointed and commiſſionated for that purpoſe, two whereof, together with one chief Juſtice, to be a Quorum. Which *Supream Court* are hereby fully impowered to have Cognizance all of Pleas, Civil, Criminal and Mixt, as fully and amply to all intents and purpoſes whatſoever, as the *Courts of Kings Bench, Common Pleas* and *Exchequer*

Exchequor within their Majeſties Kingdom of *England*, have or ought to have. In and to which Supream Court all and every Perſon and Perſons whatſoever, ſhall or may, if they ſhall ſee meet, commence or remove any Action or Suit, the Debt or Damage laid in ſuch Action or Suit being upwards of Twenty *Ponnds*, and not otherwiſe; or ſhall or may, by Warrant or *Certiorarie*, remove out of any of the reſpective Courts of Mayor and Aldermen, Seſſions of the Peace and Common Pleas, any Judgment, Information or Indictment there had and depending: Provided alwayes, that the Judgment removed be upwards of the Valve of Twenty Pounds. Out of the Office of which Supream Court at *New-York*, aforeſaid, all Proceſs ſhall iſſue out under the Teſt of the Chief Juſtice of the ſaid Court; and to which Office all Returns ſhall be made. Which Supream Court ſhall be holden at ſuch Times and Places as herein after is limitted appointed:

For the City and County of *New-York*, and County of *Orange*, on the firſt Tueſday in *April*, and on the firſt Tueſday in *October*, annually and every Year.

For the City and County of *Albany*, the firſt Tueſday in *May*.
For *Ulſter* and *Dutches County*, the third Tueſday in *May*.
For the County of *Weſtcheſter*, the laſt Tueſday in *June*.
For *Kings County*, the firſt Tueſday in *Auguſt*.
For *Queens County*, the ſecond Tueſday in *Auguſt*.
For the County of *Suffolk*, the third Tueſday in *Auguſt*.
And for the County of *Richmond*, the ſecond Tueſday of *June*.

And be it further Enacted by the Authority aforeſaid, That all and every of the Juſtices or Judges of the ſeveral Courts afore-mentioned, be, and are hereby ſufficiently impowered to make, ordain and eſtabliſh all ſuch Rules and Orders, for the more Regular practiſing and proceeding in their ſaid Courts, as fully and amply, to all intents and purpoſes whatſoever, as all or any of the Judges of the ſeveral Courts of the *Kings Bench*, *Common Pleas* and *Exchequor* in *England* legally do.

Provided alwayes, and be it further Enacted by the Authority aforeſaid, That no Perſons Right or Property ſhall be by any of the aforeſaid Courts determined, except where matters of Fact are either acknowledged by the Parties, or Judgment be acknowledged, or paſſeth by the Defendants Fault, for want of Plea or Anſwer, unleſs the Fact be found by the Verdict of Twelve Men of the Neighbourhood, as it ought to be done by the Law.

And be it further Enacted by the Authority aforeſaid, That one of the Juſtices of the ſaid Supream Court, commiſſionated as aforeſaid, ſhall once in every Year, at the aforeſaid Times and Places, in each reſpective County aforeſaid, go the Circuit, and at the places and times aforeſaid, there hold the Supream Court, being then aſſiſted by two or more of the Juſtices of the Peace of the ſeveral reſpective Counties where the ſaid Supream Court is to be holden, and ſhall there hear and determine all

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Proceſs and Pleas there depending and iſſued, as aforeſaid. Alwayes provided, That in ſuch County where there is no Proceſs iſſued or Pleas depending, That the Juſtice ſhall not be then obliged to go the Circuit to the ſaid County, any thing contained herein to the contrary hereof in any wayes notwithſtanding. Alwayes provided, the Seſſions of the ſaid Supream Cours ſhall not continue nor hold longer at *New-York* than five dayes, & at the other reſpective places in each reſpective County, than two dayes, and no longer.

And be it further Enacted by the Authority aforeſaid, That there ſhall be a *Court of Chancery* within this Province, which ſaid Court ſhall have Power to hear and determine all Matters of Equity, and ſhall be eſteemed and accounted *The High Court of Chancery* of this Province.

And be it further Enacted by the Authority aforeſaid, That the Governour and Council be the ſaid High Court of Chancery, and hold and keep the ſaid Court; And that the Governour may depute, nominate and appoint in his ſtead a Chancellor, and be aſſiſted with ſuch other Perſons of the Council as ſhall by him be thought fit and convenient, together with all neceſſary Officers, Clarks and Regiſters, as to the ſaid High Court of Chancery are needful.

Provided alwayes, and it is hereby further Enacted by the Authority aforeſaid, That any Free-holder, Planter, Inhabitant or Sojourner within this Province may have liberty, if he or they ſee meet, to make his or their Appeal or Appeals from any Judgment obtained againſt him or them, in caſe of Error in the ſeveral Courts aforeſaid, in ſuch manner and form as is hereafter expreſſed. That is to ſay, From the Courts of Mayor and Aldermen, and Courts of Common Pleas, to the Supream Court, for any Judgment above the Value of Twenty Pounds. And from the Supream Court at *New-York*, to the Governour and Council, for any Judgment above the value of One Hundred Pounds. And from the Governour and Council, to Their Majeſties in Council, for any Decree or Judgment above the Value of Three Hundred Pounds, as in their Majeſties Letters Patents to his Excellency doth and may more fully appear. Alwayes provided, That the Party or Parties ſo appealing, ſhall firſt pay all Coſts of ſuch Judgment or Decree from which the Appeal ariſeth, and enter into Recognizance, with two ſufficient Sureties, for double the value of the Debt, Matter or Thing recovered or obtained by Judgment or Decree againſt him or them, to the ſaid Court from which they appeal, *That they will proſecute the ſaid Appeal or Appeals with Effect, and make Return thereof within twelve Months after the ſaid Appeal or Appeals here made.* And if default happen thereon, then Execution to iſſue out upon the Judgment, againſt the Party or their Sureties in courſe, without any *Scire facias*. Provided alwayes, That the eſtabliſhing of theſe Courts ſhall not be or remain longer in force than for the time and ſpace of two Years from and after the Expiration of the former Act before-mentioned and no longer.

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An Act for ſettling Fairs and Markets in each reſpective City and County throughout this Province.

WHereas great Inconveniency doth ariſe unto the Inhabitants of the Province for want of certain Market dayes in each reſpective City and County throughout the ſame, & the Trade of the Province is likewiſe very much diſcouraged for want thereof, as well as for the want of publick Fairs in each reſpective City and County, to be held and kept at leaſt once in every Year. For Remedy whereof, and that Trade and Commerce may be the better encouraged and propogated, for the good and weal of all the Inhabitants aforeſaid, Be it therefore Enacted by the Governour and Council, and Repreſentatives convened in General Aſſembly, and it is hereby Enacted by the Authority of the ſame, That there ſhall be held and kept in the reſpective Counties aforeſaid, upon every *Thurſday* of the Week at *Jamaica* within *Queens County* on *Long-Iſland*; and on every *Saturday* of the Week at *Kingſton* in the County of *Ulſter*; on every *Wedneſday* of the Week at *Weſtcheſter* in the County of *Weſtcheſter*, publick and open Markets, to which Markets it ſhall and may be lawfull for all and every the Inhabitants and Sojourners of this Province to go, frequent and reſort, and thither to carry all ſorts of Cattle, Grain, Victuals, Proviſions, and other Neceſſaries, together with all ſorts of Merchandize whatſoever, and at the publick Market-place that ſhall be aſſigned and appointed in each reſpective Town aforeſaid, them to expoſe to ſale or barter in groſs or by retail between the hours of Eight of the Clock in the Morning and Sun-ſet of the ſame day, without the payment of any Toll, or any other let, hinderance or moleſtation whatſoever.

And be it further Enacted by the Authority aforeſaid, That there ſhall likewiſe be held and kept in each reſpective City and County throughout the Province, and at the Times & Places hereafter named, Twice yearly and every year a Fair. To which Fair it ſhall and may likwiſe be lawful for all and every Perſon or Perſons, Inhabitants, Strangers or Sojourners of this Province, *&c.* to the ſaid Place and Places, at the ſaid Time and Times where the ſaid reſpective Fair and Fairs are to be held and kept, to go, frequent and reſort, and thither to carry, or cauſe to be carried all ſorts of Cattle, Horſes, Mares, Colts, Grain, Victuals, Proviſions, and other Neceſſaries, together with all ſorts of Merchandize, of what Nature ſoever, and them to expoſe to Sale or Barter in Groſs or by Retail, at the Times, Hours and Seaſons that the Governors or Rulers of the ſaid reſpective Fairs for the Time being ſhall proclaim and appoint.

And be it further Enacted by the Authority aforeſaid, That there be

kept Yearly, for the City and County of *New-York*, two Fairs at the City of *New-York*. The firſt Fair annually to commence the laſt *Tueſday* of *April* in every year, and to end upon the *Fryday* then next following, being in all four days incluſive, and no longer. And the ſecond Fair to commence the firſt *Tueſday* of *November* in every year, and to end upon the *Fryday* then next following, being in all four dayes incluſive, and no longer.

And alſo, That there be held and kept one Fair annually and once in the Year for *Kings County* on *Long-Iſland* at *Flatbuſh* in the ſaid County, to commence the ſecond *Tueſday* of *October* every Year, and to end upon the *Fryday* then next following, being in all four days incluſive, and no longer.

And alſo, That there be held and kept two Fairs yearly for *Queens County* on *Long-Iſland*, the firſt Fair to be held annually at *Jamaica* within the ſaid County on the firſt *Tueſday* in *May* in every Year, and to end on the *Fryday* then next following, being in all four days incluſive, and no longer. The ſecond Fair to commence on the third *Tueſday* of *October*, and to end on the *Fryday* then next following, being in all four dayes incluſive, and no longer.

And alſo, That there be held and kept two Fairs yearly for the County of *Suffolk* on *Long-Iſland*; the firſt Fair to be held annually at *Southhampton*, the firſt *Tueſday* of *July* in every year, and to end on *Fryday* then next following, being in all four dayes incluſive, and no longer. And the ſecond Fair at *Southold*, to commence the ſecond *Tueſday* of *September*, and to end upon the *Fryday* then next following, being in all four dayes incluſive, and no longer.

And alſo, That there be held in the City and County of *Albany* two Fairs yearly, the firſt Fair to be kept at *Albany*, and to commence the third *Tueſday* of *July*, and to end on the *Fryday* then next following, being in all four dayes incluſive, and no longer. The ſecond Fair to be held at *Crawlier* in *Ranſlaerſwick* on the third *Tueſday* in *October*, and to end on the *Fryday* following, being in all four dayes incluſive, and no longer.

And alſo, That there be held & kept two Fairs yearly for the County of *Ulſter*, the firſt to be kept at *Kingſtone* on the third *Thurſday* in *March*, and to end on the *Saturday* then next following, being three days incluſive, and no longer. And the ſecond Fair to begin the ſecond *Thurſday* in *October*, and to end on the *Saturday* following.

And alſo, that there be held and kept two Fairs yearly for the County of *Weſtcheſter*, the firſt to be kept at the Town of *Weſtcheſter* in the ſaid County, on the ſecond *Tueſday* in *May*, and to end on the *Fryday* following, being in all four days incluſive, and no longer. And the ſecond Fair to be kept at *Rye*, in the ſaid County, on the ſecond *Tueſday* of *October* yearly, and to end the *Fryday* then next following, being in all four days, and no longer.

And alſo, that there be held and kept two Fairs yearly in the County of *Richmond*, the firſt on the North ſide of the Iſland, on the laſt *Tueſday* in *June*, and to end on the *Friday* following, being in all four days incluſive

cluſive, and no longer. And the ſecond Fair to be kept at the ſaid place on the laſt *Tueſday* in *September*, and to end on the *Friday* then next following, being in all four dayes incluſive, and no longer. All which Fairs at the Times and Places aforeſaid, in each reſpective County reſpectively, ſhall be holden, together with a Court of Pypouders, and with all Liberties & Free Cuſtoms to ſuch Fairs appertaining, or which ought or may appertain, according to the Uſage and Cuſtoms of Fairs holden in their Majeſties Realm of *England*.

And for the more regular Government of the ſeveral and reſpective Fairs afore-mentioned, the Governour ſhall commiſſionate and appoint ſuch perſon or perſons in each reſpective County aforeſaid, where ſuch Fairs are to be holden and kept, to be Governours and Rulers of the ſaid Fairs reſpectively. Which Governor or Ruler, ſo appointed and commiſſionated as aforeſaid, is hereby authorized and impowered to have & hold a Court of Pypouders, together with all Liberty and free Cuſtom to ſuch appertaining. And that they and every of them may have and hold there, at their and every of their reſpective Courts the ſaid dayes, from day to day, and hour to hour, from time to time, upon all occaſions, Plaints and Pleas of a Court of Pypouders, together with all Summons, Attachments, Arreſts, Iſſues, Fines, Redemptions and Commodities, and other Rights whatſoever to the ſame Court of Pypouders any way pertaining, without any impediment, let or hinderance whatſoever. Alwayes provided, That the Governour or Ruler of the ſaid reſpective Fairs aforeſaid, ſhall, or cauſe Cry and publiſh within and without the Liberties of the ſaid reſpective Fairs, Where they ſhall hold the ſame, the time that they ought to hold it, and no longer. And that every Governour or Ruler of the reſpective Fairs aforeſaid, at the beginning of his Fair ſhall there cry, proclaim and publiſh how long that Fair ſhall endure, to the intent that Merchanrs and others ſhall not be at the ſame Fairs over the time ſo publiſhed, upon pain of being fined for the ſame. Nor that the ſaid Governor or Ruler ſhall not hold their reſpective Fairs over the due time hereby limitted, upon pain of forfeiting the keeping of the ſaid Fairs, unto their Majeſties.

And for the preventing of Abuſe in any of the aforeſaid Fairs and Markets, *Be it further Enacted* by the Authority aforeſaid That the Governor or Ruler of the reſpective Fairs aforeſaid, ſhall yearly appoint and limit out a certain and ſpecial open place within the reſpective Towns aforeſaid, where the reſpective Fairs are to be held and kept, where Horſes, Mares, Geldings, Colts, and other Cattle may be ſold; In which ſaid certain and open place, as aforeſaid, there ſhall be by the Governour or Ruler aforeſaid, put in and appointed one ſufficient Perſon, or more, to take Toll, and keep the ſame place from ten of the Clock in the Morning until Sun-ſet of every day of the aforeſaid Fairs and Markets, upon pain to looſe and forfeit upon every default forty Shillings. And that every Toll-gatherer, his Deputy or Deputies, ſhall during the time of every the ſaid Fairs, take the ſum of Nine Pence as due and lawfull Toll for every ſuch Horſe, Mare, Gelding or Colt, at

the

and open place to be appointed, as aforesaid, and between the hours of ten of the Clock in the Morning, and Sun-set of the same day, if it be tendered, and not at any other time & place; and shall have present before him or them, at the taking of the same Toll the Parties to the Bargain, Exchange, Gift, Contract, or putting away of every such Horse, Mares Gelding or Colt, and also the same Horse, Mare, Gelding or Colt so sold, exchanged or put away; and shall then write, or cause to be written in a Book, to be kept for that purpose, the Names, sir-names and dwelling Places of all the said Parties; and the Colour, with one special Mark at least, of every such Horse, Mare, Gelding or Colt, on pain to forfeit at and for every default, contrary to the intent hereof, the sum of forty Shillings currant Money aforesaid. And the said Toll-Gatherer or Keeper of the said Book, shall within one day next after such Fair, bring & deliver his said Book to the Governor or Ruler of the said Fair, who shall then cause a Note to be made of the true Number of all Horses, Mares, Geldings and Colts sold at the said Fair, and shall there subscribe his Name, upon pain to him that shall make default therein, to lose and forfeit for every default, the sum of forty Shillings currant Money aforesaid, and also to answer to the party grieved by reason of the same his Negligence in every behalf. And the said Governor or Ruler, his Deputy or Deputies shall take for the entring of every Horse, Mare, Gelding & Colt, sold in the respective Fairs, as aforesaid, for Toll of the same, the sum of Nine Pence, the one half to be paid by the Buyer, and the other half by the Seller. Provided always, That nothing herein contained shall be taken or construed to infringe upon the Rights and Priviledges of the Cities of *New-York*, *Albany*, & *Ranslers-wick*, but that the Mayor and Aldermen, & the Proprietor of the Mannor of *Ranslaers-wick*, of their respective Cities and Mannor, for the time being, shall always be pursuant to the Directions of their respective Charters and Grants, the only Rulers or Governours of the afore-mentioned Fairs to be held in their respective Cities and Mannors, any thing contained herein to the contrary hereof in any ways notwithstanding.

An Act for the supervising Intestates Estates, and Regulating the Probate of Wills, & granting Letters of Administration.

WHereas the Right of Orphans, and the Estate of such as dye Intestate throughout this Province and Dependencies, are often concealed, wasted, imbezeled and destroyed, to the utter Ruin of many Orphans, and the prejudice of the next of Kin to such as dye Intestate, for want of having good & sufficient Persons in each respective County throughout the Province, for the due and regular Enquiry after the same, *Be it therefore Enacted* by the Governour and Council, and Representatives convened in General Assembly, and it is hereby Enacted by

by the Authority of the ſame, That on or before the 25th day of *March* next, in the Year of our Lord 1693. there ſhall be elected or appointed in each reſpective Town throughout the Counties within this Province, two able and ſufficient Free-holders, who ſhall upon the Death of any Perſon or Perſons in their reſpective Towns, repair unto the Houſe, Place, or Habitation where the deceaſed did reſide, within forty eight hours after the Interment of the ſaid deceaſed, and there make Enquiry, *If the deceaſed made any Will, or hid any Real or Perſonal Eſtate, not deviſed by him at the time of his or their Death?* And if upon Enquiry, that he made no Will, but dyed Inteſtate, then and in ſuch caſe it ſhall be lawful for ſuch Perſon or Perſons, elected or appointed in each reſpective Town, as aforeſaid, to make ſtrict and diligent Search and Enquiry into all the Real and Perſonal Eſtate that the ſaid Inteſtate dyed poſſeſſed of, and the ſame to Inventory, and bring, or cauſe to be brought unto ſuch Perſon or Perſons, in the County where ſuch Inteſtate dyed, who ſhall by the Governour for the time being, be delegated, on purpoſe for ſupervifing Inteſtates Eſtates, *&c.* in each reſpective County throughout the Province, and the ſame with him file, declaring upon their Oathes, *That the ſaid Inventory doth contain a true and perfect Account of the ſaid Inteſtates Eſtate, that has come unto their Knowledge.* Whereupon the Perſon or Perſons ſo delegated, as aforeſaid, ſhall iſſue out his or their Warrant to two good and ſufficient Free-holders inhabiting within the Town where the Inteſtate dyed, for the Appraiſment of the Goods & Chattels left by the Inteſtate, and Inventoryed as aforeſaid. And upon the Return thereof to him, he ſhall cauſe the ſame to be ſecured, or ſold for the moſt of their Value, and the produce thereof to remain in his hands, or put out into good and ſufficient hands, who ſhall be able to produce the ſame again, when the next of Kin ſhall appear in right to claim the ſame. And if the ſaid Inteſtate, at the time of his Death, did leave a Wife and Children behind him, then and in ſuch caſe the Wife ſhall only have the Right of Adminiſtration upon the ſaid Inteſtates Eſtate, as the Law doth direct, and not otherwiſe. But if the ſaid Inteſtate did leave only Orphans behind him, and has no Relations or Kindred who will adminiſter upon the ſaid Inteſtates Eſtate, then the Superviſer of each reſpective County, delegated as aforeſaid, ſhall only have the Adminiſtration and Care of the ſaid Inteſtates Eſtate, and the ſame ſhall ſecure as aforeſaid, for the uſe, benefit and behoof of the ſaid Orphans, and not otherwiſe. And the ſaid Inteſtates Eſtate, ſo Inventory'd as aforeſaid, ſhall cauſe to be well ſecured, and improved to the beſt Advantage for the behoof of the ſaid Orphans, until they Marry or come to the Age of One and Twenty Years. And that he ſhall likewiſe take take effectual care for the Educating and Inſtructing the ſaid Orphans in the Holy *Proteſtant Religion*, and that they be honeſtly maintained, according to the Capacity of the ſaid Inteſtates Eſtate, and not otherwiſe.

And *Be it further Enacted* by the Authority aforeſaid, That the Probate of all Wills and Letters of Adminiſtration ſhall be from hence forth granted by the Governour, or ſuch Perſon as he ſhall delegate under the

Seal of the Prerogative Office, for that purpoſe appointed. And that all Wills relating to any Eſtate within the ſeveral Counties of *Orange* and *Richmond*, *Aveſt*, *Cheſter*, *Kings County*, ſhall be proved at *New-York* before the Governour, or ſuch Perſon as he ſhall delegate, as aforeſaid. But in regard of the Remoteneſs of the other Counties from *New-York*, and to prevent the great Charge and Inconveniency of bringing Witneſſes ſo far, the Court of Common Pleas in each of theſe remote Counties, are hereby impowered and authorized to take the Examination of Witneſſes to any Will within their reſpective Counties, upon Oath, and the ſame, with the Will to certifie to the Secretary's Office at *New-York*, with all convenient ſpeed, under the Hand of the Judge & Clark of the ſaid Court, that the Probate thereof may be granted accordingly. And in the time of the vacancy of the ſaid Courts of Common Pleas, or upon any extraordinary Occaſion or Neceſſity, the reſpective Judges of the Inferiour Courts, aſſiſted with two Juſtices of the Peace, within the ſaid remote Counties, may, and are hereby impowered and authorized at any time, during the vacancy of the ſaid reſpective Courts, to take the Examination of Witneſſes, to any Will produced before them, upon Oath, and to certifie the ſame, as aforeſaid. And in caſe any Debate or Controverſie ſhall ariſe about Swearing & Examining ſuch Witneſſes, or allowing the Will, the ſaid Court, or Judge & Juſtices may hear and determine the ſame. And if any be unſatisfied with their Proceedings therein, they may appeal to the Governour, or to ſuch other Perſon delegated as aforeſaid, before the Probate of ſuch Will be granted.

And it is further Enacted by the Authority aforeſaid, That the ſeveral Judges of the reſpective Courts within the ſaid remote Counties, in open Courts, and on extraordinary Occaſions or Neceſſity, out of Court, aſſiſted with two Juſtices of the Peace aforeſaid, may, and are hereby authorized and impowered to grant Probates of any Will, or Letters of Adminiſtration to any Perſon or Perſons, where the Eſtate of the Perſon making ſuch Will, or of the Inteſtate on which Letters of Adminiſtration is deſired, doth not exceed the value of Fifty Pounds, any thing herein contained to the contrary hereof in any ways notwithſtanding. Provided alwayes, That any Perſon or Perſons concerned in the Probate of ſuch Wills or Letters of Adminiſtration to be granted by the Judge of the ſaid Courts, as aforeſaid, may within three Moneths after the granting thereof, bring his or their Appeal or Appeals therein before the Governour, or ſuch other Perſon delegated, as aforeſaid.

An Act for the Encouraging a Poſt-Office.

WHereas their Moſt Excellent Majeſties by Their Letters Patents under the Great Seal of *England*, bearing date the 17*th* day of *February*, in the Year of our Lord 1691. have given unto *Thomas Neal*, Eſq;

Esq; his Executors, Administrators and Assigns full Power and Authority to erect, settle and establish within the chief Ports of their said Majesties Collonies and Plantations in *America*, an Office or Offices for the Receiving and Dispatching of Letters and Pacquets, and to receive, send and deliver the same, under such Rates and Sums of Money as the Planters shall agree to give, &c. to hold and enjoy the same for the term of one and twenty Years, with such Powers and Clauses as are necessary on that behalf, as by the said Letters Patents, relation being thereunto had, may more fully and at large appear. And whereas *Andrew Hamilton*, Esq; is deputed and constituted to govern and manage the said General Post-Office, for and throughout all their Majesties Plantations and Collonies upon the main Land or Continent of *America*, and Islands adjacent thereunto, pursuant to the directions of the said Letters Patents. And whereas he the said *Andrew Hamilton* hath made Application to his Excellency, the Governour, and Council, and Representatives convened in General Assembly, That they would ascertain and establish such Rates and Sums of Money upon the Letters and Pacquets that shall be received and dispatched by the said Office and Offices, for the effectual encouraging of the said General Post-Office, and for the quicker maintenance of mutual Correspondency amongst all our Neighbouring Collonies and Plantations aforesaid, and that Trade and Commerce may be the better preserved, *Be it therefore Enacted by the Governour and Council, and Representatives convened in General Assembly*, and by the Authority of the same, That there shall be from henceforth a General Letter-Office erected and established in some convenient place within the City of *New-York*, from whence all Letters and Pacquets whatsoever, may be with speed & expedition sent into any part of our Neighbouring Collonies and Plantations on this main Land and continent of *America*, or unto any other of their Majesties Kingdoms and Dominions beyond the Seas. At which said Office all Returns and Answers may be likewise received. And that one Master of the said General Letter-Office shall from time to time be appointed by the said *Andrew Hamilton*, which said Master of the said Office, or his Servant or Agent, and no other Person or Persons whatsoever, shall from time to time have the receiving, taking up, ordering, dispatching, sending Post or with speed, and delivering of all Letters and Pacquets whatsoever, which shall from time to time be sent to and from all and every of the adjacent Collonies and Plantations on this main Land and Continent of *America*, or any other of their Majesties Kingdoms and Dominions beyond the Seas, where he the said Post-Master General shall settle, or cause to be settled Posts or Running Messengers, for that purpose, except such Letters of Merchants & Masters, which shall be sent by any Masters of any Ships, Barques, or other Vessels of Merchandize, or by any other Person imployed by them for the carriage of such Letters aforesaid, according to the respective Directions; and also except Lettets to be sent by any private Friend or Friends, in their ways and Journies or Travel, or by any Messenger or Messengers sent on purpose for or concerning the private Affairs of any Person or Persons.

And

And be it further Enacted by the Authority aforesaid, That such Post-Master for the time being, and no other Person whatsoever, shall prepare and provide Horses and Furniture to let to hire unto all through Posts and Persons riding in Post, with Commission or without, to and from all and every of the adjacent Collonies and Plantations on this main Land or Continent in *America*, where any Post-Roads are or shall be settled and established.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for the Post-Master General aforesaid, and his Deputy & Deputies by him thereunto sufficiently authorized, to demand, have, receive and take for the Portage & Conveyance of all such Letters which he shall so convey, carry or send Post as aforesaid; and for the providing and furnishing Horses for through Posts, or Persons riding in Post, as aforesaid, according to the several Rates and Sums of currant Money of this Province, hereafter mentioned, not to exceed the same, that is to say, That the Port of every single Letter to or from *Europe*, the *West-Indies*, or else-where to and from beyond the Seas, Nine Pence, currant Money aforesaid, and so in proportion to the greatness or quantity of said Letters. And for the Port of every single Letter from *Boston* to *New-York*, or from *Maryland* to *New-York*, Nine Pence, currant Money aforesaid, and so in proportion, as aforesaid. And for the Port of every single Letter from *Virginia* to *New-York*, Twelve Pence, currant Money aforesaid, and so in proportion, as aforesaid. And for the Port of every single Letter to or from any place not exceeding Eighty Miles distant from *New-York*, Four Pence Half Penny, currant Money aforesaid, and so in proportion, as aforesaid.

And for the more effectual encouragement of the said General Post-Office, *Be it further Enacted by the Authority aforesaid*, That all the respective Post-Masters that shall be settled in the respective Stages for the purpose aforesaid throughout the Province, shall, during the space and time that this Act shall be in force, be free'd and exempted from Excise and all Publick Services whatsoever, except the Post-Master of the City of *New-York*, who is only exempted from Publick Services.

And be it further Enacted by the Authority aforesaid, That no Person or Persons whatsoever, or Body Politick or Corporate, other than the Post Master General aforesaid, shall presume to carry, re-carry or deliver Letters for hire, other than as before excepted, or to set up, or imploy any Foot-Post, Horse-Post or Pacquet Boat whatsoever, for the carrying, conveying and re-carrying of any Letters or Pacquets by Sea or Land within this Province, or shall provide and maintain Horses & Furniture for the Horses of any through-Posts, or Persons riding Post with a Guide and Horn, as is usual in their Majesties Realm of *England*, upon pain of forfeiting the sum of One Hundred Pounds currant Money aforesaid, for every several Offence against the Tenor of this present Act, to be sued and recovered in any Court of Record within this Province, by Bill, Plaint or Information, wherein no Essoyn, Protection or Wager of Law shall be admitted, one half of the said Forfeiture to the Governour, and the other half to the Post-Master General, who shall sue and prosecute the same.

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Be it further Enacted by the Authority aforeſaid, That all Letters and Pacquets that by any Maſter of any Ship or Veſſel, or any of his Company, or any Paſſengers therein, ſhall or may be brought to this Port of *New-York*, other than ſuch Letters as are before excepted, ſhall by ſuch Maſter, Paſſenger or other Perſon, be forth-with delivered unto the Poſt-Maſter of *New-York* for the time being, or unto his Servant or Servants, and by him or them to be delivered according to the ſeveral and reſpective Directions of the ſame. Provided, That no Letters going up or coming down *Hudſon's River*, & going to or from *Long-Iſland*, ſhall be carryed to the Poſt-Office, any thing herein contained to the contrary hereof notwithſtanding. Provided alwayes, That nothing herein mentioned ſhall be in force longer than three Years next and after the Publication hereof, any thing to the contrary hereof in any wayes notwithſtanding.

An Act for the Satisfying and paying the Debts of the Government.

THe Repreſentatives convened in General Aſſembly, being willing that all ſuch as have advanced Money for the ſupport of the Government, ſhould be well and truly paid and ſatisfied; and for that purpoſe have agreed that the Rates and Duties herein after mentioned ſhould be levyed and collected, and pray that it may be Enacted, *And be it therefore Enacted by the Governour and Council, and Repreſentatives convened in General Aſſembly, and by the Authority of the ſame,* That the Rates and Duties herein after-mentioned, ſhall be levied and collected, and be only appropriated and applyed to the payment of ſuch Debts due for the ſupport of the Government, aforeſaid, and the ſaid Rates and Duties herein after-mentioned, hereby authorized to be levyed and collected, ſhall be quarterly paid to ſuch Perſon or Perſons who are now the preſent Creditors, & have advanced their Money, as aforeſaid, their Executors, Adminiſtrators or Aſſigns, in two years from the Publication hereof, in eight quarterly Payments, and in equal proportions, according to the greatneſs and ſmallneſs of the Sums due, without any priority or reſpect to Perſons, and not otherwiſe. And that the reſidue of the Money ariſing and payable by this Act, if any be, ſhall be appropriated and applyed, from and after the payment of the ſeveral Debts, as aforeſaid, unto the ſupport of the Government, and for no other uſe or purpoſe whatſoever, any thing in this or any other Act contained to the contrary notwithſtanding.

And that from and after the Publication hereof, there ſhall be raiſed, levyed, collected and paid unto their Majeſties, during the ſpace & term of two years, after the publication hereof, as aforeſaid, and no longer, the ſeveral Rates and Duties herein after-mentioned, over & above all other

Duties, Charges and Impoſitions by any former Act and Acts ſet and impoſed, that is to ſay, The Rate and Duty of Two Pence, currant Money of *New-York*, for every Gallon of Rum, Brandy, and other diſtilled Liquors. And the Rate and Duty of thirty Shillings for every Pipe of Wine. And five Shillings for every Hogſhead of Maloſſos, and ſo in proportion for any greater and leſſer Quantity that ſhall be Imported into this Province and Dependencies, from and after the Publication hereof. And alſo the Rate and Duty of *Two per Cent.* prime Coſt, upon all other Goods of the Growth, Production or Manufacture of *Europe*, that ſhall from and after the Publication hereof be Imported, as aforeſaid. And alſo, the Rate and Duty of *Six per Cent.* prime Coſt, of the Goods and Merchandize of the Growth, Production & Manufacture of *Europe*, that ſhall from and after the Publication hereof, be imported into this Province and Dependencies, from any other part or place than their Majeſties Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*.

And be it further Enacted by the Authority aforeſaid, That the ſeveral Rates and Duties hereby impoſed on the Liquors and Merchandize aforeſaid, ſhall be raiſed, levyed, collected, recovered and paid unto their Majeſties Collector and Receiver General for the time being, during the term before mentioned, and in the ſame manner and form, and by ſuch Rules, Allowances, Ways and Means, and under ſuch Penalties, Fines and Forfeitures as are mentioned, expreſſed and directed in and by one Act of General Aſſembly made in this preſent Seſſions of Aſſembly, entituled, *An Act for eſtabliſhing a Revenue to defray the publick and neceſſary Charges of the Province.*

And foraſmuch as it is manifeſt that there are ſeveral Sums of Money collected and received by ſundry Perſons, and not paid unto their Majeſties Receiver General: And alſo, that there are ſeveral Perſons that continue and remain indebted for the ſeveral Duties and Impoſitions, and Exciſe upon Liquors, which were formerly eſtabliſhed by the late Government, for defraying the publick Charges thereof, and that it is moſt reaſonable and juſt that all the arrears of the ſame ſhould be raiſed, levied, collected, anſwered and paid unto their Majeſties Receiver General, for and towards the Debt aforeſaid; *Be it therefore Enacted by the Authority aforeſaid*, That all and every Perſon or Perſons who have received any Sum or Sums from any of their Majeſties Subjects within this Province, or under pretence of any Duties, Impoſitions, or Exciſe, formerly eſtabliſhed by the late Government, from the 11th day of *Auguſt*, in the Year of our Lord 1688. until the 20th day of *March*, in the Year of our Lord 1691. And likwiſe, all and every Perſon and Perſons that are in arrears for any of the Duties, Impoſitions or Exciſe, as aforeſaid, ſhall within four Kalender Moneths after the publication hereof, come unto their Majeſties Receiver General at *New-York*, and there account with him for all and every Sum or Sums of Money, ſo collected and received by them, and every of them: And alſo, for what they are in arrears for any of the Duties, Impoſitions or Exciſe, as aforeſaid, and pay the ſame unto him, without any further delay. And if any Perſon or

Perſons

Perſons ſhall refuſe or neglect, upon ſummons of their Majeſties Receiver General, to account & pay the ſums of Money found due in arrears, as aforeſaid, it ſhall then be lawful for their Majeſties Receiver General, who is hereby authorized to do the ſame, to iſſue out his Wartant under his Hand and Seal, to make Diſtreſs upon the Goods and Chattels of ſuch perſon or perſons that ſhall be found indebted, or in arrears, as aforeſaid, and the ſame to expoſe to Sale by Publick Out-cry, and the produce thereof to take, until he be ſatisfied for the Sums of Money due and in arrears, as aforeſaid. All which Sum & Sums of Money ſo received by him, ſhall be paid and imployed to the Uſes aforeſaid, and to no other uſe, intent or purpoſe whatſoever. And all the Acts and Ordinances made by the late Governour and Council for and concerning any of the Duties, Impoſitions and Exciſe aforeſaid, ſhall remain and continue in full force and virtue until all the ſaid Sums of Money, & arrears due thereupon be fully paid and ſatisfied, according to the tenor of this Act, any thing contained herein, or in any other Act, to the contrary hereof in any ways notwithſtanding. Provided, That all Merchants and others, who are to pay the additional Rates and Duties hereby eſtabliſhed, ſhall have the time of three Moneths after their reſpective Entries made, for the Duties aforeſaid, for the payment of the Rates and Duties aforeſaid, any thing contained to the contrary hereof notwithſtanding.

Acts paſſed in the Fifth Seſſions of the General Aſſembly, begun at the City of *New-York*, the 22*th* day of *March*, 1692.

An Act for calling Long-Iſland *the Iſland of* Naſſaw.

BE it Enacted by the Governour and Council, and Repreſentatives convened in General Aſſembly, and by the Authority of the ſame That the Iſland, commonly called & known by the Name of *Long Iſland*, ſhall from hence-forth be called, *The Iſland of* Naſſaw. And that after the Publication hereof, all their Majeſties loving Subjects are hereby required, in all Grants, Patents, Deeds, Conveyances, Bargains of Sale, Bills, Bonds, Records, and other Inſtruments in Writing that ſhall hereafter be made, granted, conveyed, bargained, ſold and executed, for or concerning the ſaid Iſland, or any part or place within the ſame, or in any County thereof, to call & denominate the ſaid Iſland in all ſuch Deeds and Eſcripts, as aforeſaid, *The Iſland of Naſſaw*, any thing contained in any former Act to the contrary hereof in any ways notwithſtanding.

An Act for eſtabliſhing certain Rates and Duties upon ſuch Goods, Wares and Merchandize as ſhall be brought unto their Majeſties Beam in the Weigh-Houſe at New-York.

THE Repreſentatives convened in General Aſſembly being ſenſible of the great Charge that is requiſite for the preſent ſupport of the Government in this time of War, and being alſo willing at all times to manifeſt their moſt dutiful Affections unto their Majeſties, with an humble and thankful Acknowledgment of their Majeſties moſt gracious and tender regard to their Subjects within the ſame, have cheerfully and unanimouſly given and granted unto their Majeſties an Aid and Aſſiſtance for the better defraying the neceſſary Charge of the Government, to be raiſed and levied upon all ſuch Goods, Wares and Merchandizes that ſhall be brought unto their Majeſties Beam in the Weigh-Houſe at *New-York*, according to ſuch Rates & Duties, & during ſuch Time, and in ſuch manner and form as herein after followeth. And they humbly pray that it may be Enacted, *And be it therefore Enacted by the Governour and Council, and Repreſentatives convened in General Aſſembly, And it is hereby Enacted by the Authority of the ſame,* That all the Goods, Wares and Merchandizes herein after named and expreſſed, that ſhall from and after the Publication hereof be Imported to, and Exported from this City, or that ſhall be bought and ſold, bartered or exchanged within the ſame, ſhall be firſt brought unto their Majeſties Beam at the Weigh-Houſe aforeſaid, and be there weighed. And for weighing the ſame there ſhall be anſwered and paid unto their Majeſties Collector and Receiver General for the time being, or to ſuch Perſon or Perſons as he ſhall authorize for the attending and receiving the ſame, the Rates and Duties hereafter named, eſtabliſhed and expreſſed, that is to ſay, For all ſorts of Silk Ware above one Hundred weight, Nine Pence *per* Hundred Weight; Floret or Worſted, the ſame; Cochanella, the ſame; Saffron, the ſame. Indigo exported only, ſix Pence *per* Hundred Weight, nothing for Importation; Confectures, the ſame; all ſorts of Spices, the ſame; *Spaniſh* Leather, the ſame. Sugar, Two Pence half penny *per* Hundred weight exported, nothing at Importation; Candles, the ſame. Tobacco, two Pence, the ſame. Sarſaparilla, three penee, the ſame; Ivory, the ſame. All ſorts of Dye Wood, three half pence *per* Hundred weight, exported only. Wool and Cotten Wool, three pence, the ſame. Dry Hides, Elk and Deer Skins, two pence, the ſame. Butter, three pence, the ſame; Cheeſe, the ſame; Starch, the ſame, both exported and imported; alſo Tallow, three pence, exported; Ginger, the ſame; Hops, the ſame; Dry Fiſh, two pence, the ſame; Brimſtone, two pence, the ſame, imported; Rozen, two pence the ſame, exported only. Cordage, three

pence

pence, the ſame; Grocery Ware, two pence, the ſame; Bread, one penny, the ſame; Flower, the ſame; Pitch, two pence, the ſame. And that all broken Weights ſhall pay in proportion accordingly.

And be it further Enacted by the Authority aforeſaid, That all other ſpecies of Goods, Wares and Merchandizes that are not herein named and expreſſed, & ſhall voluntarily be brought by any Perſon or Perſons within the ſame, to be weighed, as aforeſaid, ſhall for ſuch their weighing pay after the Rates and Duties hereby eſtabliſhed, and not otherwiſe.

And for the better collecting and paying the Rates and Duties aforeſaid, *Be it further Enacted by the Authority aforeſaid*, That all ſuch Perſon or Perſons that from and after the time aforeſaid, That ſhall import to or export from this City, or ſhall buy, ſell, barter or exchange within the ſame, any the Goods, Wares and Merchandizes afore-mentioned, enumerated and expreſſed, without bringing the ſame unto their Majeſties Beam, aforeſaid, and there anſwer and pay the Rates and Duties hereby eſtabliſhed, as aforeſaid, ſhall then and for ſo often as he or they ſhall neglect or refuſe to do the ſame, pay or forfeit unto their ſaid Majeſties the ſum of two Shillings and ſix Pence, currant Money aforeſaid, for each Hundred weight of ſuch Goods, Wares and Merchandizes, as aforeſaid, that ſhall be denyed or refuſed to be weighed as aforeſaid, to be recovered before any Juſtice of the Peace within the ſaid City, or in any Court within the ſame, by Bill, Plaint or Information, one half unto their Majeſties, their Heirs and Succeſſors, and the other half to the Informer or Proſecutor, who ſhall ſue for the ſame, together with coſts of Proſecution. Provided alwayes, That the Regulation, nor any part thereof, ſhall not extend to compell any Free-holder within this Province to bring his Goods to be weighed, who ſhall ſwear upon the holy Evangeliſt, *bona fide, That all ſuch Goods exported or imported, are his own proper Eſtate, and that no other Perſon hath directly or indirectly any Intereſt therein, but that they are exported or imported upon his own proper Account and Riſco.* Which if ſuch a Perſon ſhall be found falſly to ſwear in the Premiſes, ſhall be proſecuted againſt as one convict of willfull Perjury. And that the Collector, or ſuch Perſon as he ſhall appoint, ſhall be impowered to adminiſter ſuch an Oath.

Acts paſſed in the ſixth Seſſions of General Aſſembly, begun the 12th of *September*, 1693.

An Act for ſettling a Miniſtry & raiſing a Maintenance for them in the City of New-York, *County of* Richmond, Weſtcheſter *and* Queens County.

WHereas Prophaneneſs & Liſcentiouſneſs hath of late over-ſpread this Province for want of a ſettled Miniſtry throughout the ſame,

To the end the ſame may be removed, and the Ordinances of God daily adminiſtred, *Be it Enacted by the Governor & Council, and Repreſentatives convened in General Aſſembly, and by the Authority of the ſame*, That in each of the reſpective Cities and Counties hereafter mentioned & expreſſed, there ſhall be called, inducted and eſtabliſhed a good ſufficient *Proteſtant Miniſter*, to officiate and have the care of Souls, within one year next and after the publication hereof, That is to ſay, In the City of *New-York* One, in the County of *Richmond* one, in the County of *Weſtcheſter* two, one to have the care of *Weſtcheſter*, *Eaſtcheſter*, *Teanches* and the Mannor of *Pellham*, the other to have the care of *Rye*, *Manerenock* and *Bedford*; in *Queens County* two, one to have the care of *Jamaica*, and the adjacent Towns & Farms, the other to have the care of *Hempſted*, and the next adjacent Towns and Farms.

And for their reſpective Encouragement, *Be it further Enacted by the Authority aforeſaid*, That there ſhall be annually and once in every Year in every of the reſpective Cities and Counties aforeſaid, aſſeſſed, levyed, collected and paid for the maintenance of each of their reſpective Miniſters the reſpective ſums hereafter mentioned, that is to ſay, For the City & County of *New-York*, One Hundred Pounds; for the two Precincts of *Weſtcheſter*, one hundred Pounds, to each fifty Pound, to be paid in Country Produce at Money price. For the County of *Richmond* forty Pound, in Country Produce at Money price. And for the two Precincts of *Queens County* one hundred and twenty Pounds, to each ſixty Pound, in Country Produce at Money price.

And for the more orderly raiſing the reſpective Maintenances for the Miniſters aforeſaid, *Be it further Enacted by the Authority aforeſaid*, That the reſpective Juſtices of every City and County aforeſaid, or any two of them, ſhall every year iſſue out their Warrants to the Conſtables, to ſummon the Free-holders of every City, County & Precinct aforeſaid, together on the 2d *Tueſday* in *January*, for the chuſing of ten Veſtry-men & two Church-Wardens, & the ſaid Juſtices and Veſtry men or major part of them, are hereby impowered, within ten days after the ſaid day, or any day after, as to them ſhall ſeem convenient, to lay a reaſonable Tax on the ſaid reſpective Cities, County, Pariſh or Precinct, for the Maintenance of the Miniſter and Poor of their reſpective places. And if they ſhall neglect to iſſue their Warrants, ſo as the Election be not made that day, they ſhall reſpectively forfeit five Pound currant Money of this Province. And in caſe the ſaid Free-holders duely ſummoned, as aforeſaid, ſhall not appear, or appearing do not chuſe the ſaid ten Veſtry-men & to Church-Wardens, that then in their default, the ſaid Juſtices ſhall within ten days after the ſaid ſecond *Tueſday*, or in any day after, as to them ſhall ſeem convenient, lay the ſaid reaſonable Tax on the ſaid reſpective places, for the reſpective Maintenances aforeſaid. And if the ſaid Juſtices & Veſtry-men ſhall neglect their Duty herein, they ſhall reſpectively forfeit five Pound currant Money aforeſaid.

And be it further Enacted by the Authority aforeſaid, That ſuch of the Juſtices and Veſtry-men that ſhall not be preſent at the time appointed, to make the ſaid Tax, and thereof be convicted, by a Certificate under the

the hands of ſuch as do appear, & have no ſufficient Excuſe for the ſame, ſhall reſpectively forfeit five *Pound* currant Money aforeſaid. And a Roll of the ſaid Tax, ſo made, ſhall be delivered into the hands of the reſpective Conſtables of the ſaid Cities, Counties, Pariſhes, and Precincts, with a Warrant ſigned by any two Juſtices of the *Peace*, impowering him or them to levy the ſaid Tax, and upon refuſal, to diſtrain, and ſell by publick Out-cry, and pay the ſame into the hands of the Church-Wardens, retaining to himſelf 12 *d. per Pound*, for levying thereof. And if any Perſon ſhall refuſe to pay what he is ſo aſſeſſed, and the ſaid Conſtables do ſtrain for the ſame, all his Charges ſhall be paid him, with ſuch further allowance for his pains as the ſaid Juſtices or any of them ſhall judge reaſonable. And if the ſaid Juſtice or Juſtices ſhall neglect to iſſue the ſaid Warrant, he or they reſpectively ſhall forfeit five Pound currant Money aforeſaid. And if the ſaid Conſtables, or any of them fail of their Duty herein they ſhall reſpectively forfeit five Pound currant Money aforeſaid. And the Church-Wardens ſo choſen ſhall undertake the ſaid Office, and receive and keep a good Account of the Monyes or Goods levyed by virtue of this Act, and the ſame iſſue by order from the ſaid Juſtices and Veſtry-men of the reſpective Cities, Counties, *Precincts* and Pariſhes aforeſaid, for the purpoſes and intents aforeſaid, and not otherwiſe. And the Church-Wardens ſhall, as often as thereunto required, yeild an Account unto the Juſtices and Veſtry-men, of all their *Receipts* and Diſburſements. And in caſe the Church-Wardens or any of them ſhall neglect their Duty herein, they ſhall reſpectively forfeit five *Pound* currant Money aforeſaid, for every refuſal.

And be it further Enacted by the Authority aforeſaid, That the ſaid Church-Wardens in their reſpective *Precincts* aforeſaid, ſhall by Warrant as aforeſaid, pay unto the reſpective Miniſters the Maintenance aforeſaid, by four equal and quarterly Payments, under the Penalty and Forfeiture of five *Pound* currant Money aforeſaid, for each neglect, refuſal or default; The one half of all which Forfeitures ſhall be diſpoſed of to the uſe of the *Poor* in each reſpective Precinct where the ſame doth ariſe, and the other half to him or them that ſhall proſecute the ſame.

Alwayes provided, and *Be it further Enacted by the Authority aforeſaid*, That all and every of the reſpective Miniſters that ſhall be ſettled into the reſpective Cities, Counties and Precincts aforeſaid, ſhall be called to officiate in their reſpective Precincts, by the reſpective Veſtry-men and Church Wardens aforeſaid. And alwayes provided, That all former agreements made with Miniſters throughout this *Province*, ſhall continue and remain in their full force and virtue, any thing contained herein to the contrary hereof in any ways notwithſtanding.

An Act confirming & continuing unto their Majesties the Revenue established by an Act of General Assembly, made in the 4th Year of their Majesties Reign, for defroying the publick and necessary Charges of the Government, five Yeats longer than the Term therein mentioned.

THe Representatives convened in General Assembly taking into their serious Consideration the extraordinary Expence that the Defence of this Province requires from their Majesties, during this term of War, and being willing on all occasions to give Demonstration of their constant Loyalty and dutiful Affections unto their most Excellent Majesties, do humbly pray and beseech that the Revenue given and granted unto their most Sacred Majesties for the term of Two Years, by an Act of General Assembly made in the fourth Year of their Majesties Reign, Entituled, *An Act for establishing a Revenue upon their Majesties for the defraying the Publick and Necessary Charges of the Government*, may be continued and confirmed unto their most Excellent Majesties for the time and space of five Years next after the expiration of the Term of the two Years aforesaid, and humbly beseech that it may be Enacted, *And be it therefore Enacted by the Governour and Council, and Representatives convened in General Assembly, and by the Authority of the same*, That the Rates, Duties and Excise made payable upon Merchandizes, Furs and Liquors, shall be levyed, collected and paid unto their most Excellent Majesties for the term and space of five years next and after the expiration of the term limitted in the said Act, to commence and be computed from the 18th day of *May*, which shall be in the Year of our Lord 1695. according to such Rules and Directions, and under such Pains and Forfeitures as is contained and enjoyned by the said Act. And the aforesaid Act, and every Article, Rule and Clause therein mentioned shall be, abide and remain in full force and effect, to all intents and purposes, during the said Term of five Years, and no longer, as fully and in like manner as if the same were particularly and at large recited and set down in the Body of this Act, any thing contained therein to the contrary hereof in any wayes notwithstanding.

Province of New-York, ſſ.

Anno Regni Gulielmi & Mariæ, REGIS & REGINÆ, Angliæ, Scotiæ, Franciæ & Hiberniæ, QUINTO.

An ACT for Reſtraining and Puniſhing Privateers and Pyrates.

WHereas nothing can more contribute to their Majeſties Honour than ſuch Articles as are concluded and agreed on in all Treaties of Peace, ſhould by all their Majeſties Subjects according to their Duty, be moſt inviolably preſerved and kept, in and over all their Majeſties Dominions and Territories. And whereas againſt ſuch Treaties of Peace made between their Majeſties and their Allies, ſeveral of their Majeſties Subjects do continually fail under Commiſſions of Forreign Princes and States, contrary to their Duty and good Allegiance, and by fair means cannot be reſtrained from ſo doing, Be it therefore Enacted by the Governor, Council and Aſſembly, and it is hereby Enacted by the Authority of the ſame, That from and after Publication hereof, it ſhall be Feilony for any Perſon which now doth or hereafter ſhall inhabit in or belong to this Province, to ſerve in *America* in an Hoſtile manner under any Forreign Prince, State or Potentate in Amity with their Majeſties, without ſpecial Liſence for ſo doing, under the Hand and Seal of their Majeſties Governor or Commander in Chief of this Province for the time being, and that all and every ſuch Offender and Offenders, contrary to the true intent of this Act, being thereof duely convicted in their Majeſties Court of Judicature within this Province (to which Courts Authority is hereby given to hear and determine the ſame, as other caſes of Feilony) ſhall ſuffer

pains of Death, without benefit of Clergy. Provided nevertheleſs that this Act, nor any thing therein contained, ſhall extend to any Perſon or Perſons, which now are or have been in the Service or Imployment of any forreign Prince, State or Potentate whatſoever, that ſhall return to this Province, and leave and deſert ſuch Service and Imployment, before the firſt day of *September* next enſuing, rendring themſelves to their Majeſties Governour or Commander in Chief for the time being, and giving ſuch Security as he ſhall appoint, for their future good Behaviour, and alſo that they ſhall not depart this Province without the Liſence of their Majeſties Governour or Commander in chief.

And for the better and more ſpeedy Execution of Juſtice upon ſuch who having committed Pyracies, Fellonies, and other Offences upon the Sea, ſhall be apprehended in or brought priſoners to this Province, Be it further enacted by the Authority aforeſaid, That all Fellonyes, Pyracies, Roberies, Murders, or Confederacies committed, that hereafter ſhall be committed upon the Sea, or in any Haven, Creek or Bay, within the Juriſdiction of the Admirality, ſhall be enquired, tryed, heard, determined and judged in ſuch Form as if ſuch Offence had been committed in and upon the Land, and to that end and purpoſe Commiſſions ſhall be had under their Majeſties Seal of this Province, directed to the Judge or Judges of the Admiralty of this Province for the time being, and to ſuch other ſubſtantial perſons, as by their Majeſties Governour or Commander in chief of this Province, for the time being, ſhall be named or appointed; which ſaid Commiſſioners, or ſuch a Quorum of them, as by ſuch Commiſſion ſhall be thereunto authorized, ſhall have full Power to do all things in and about the enquiry, hearing, determining, adjudging and puniſhing of any of the Crimes and Offences aforeſaid, as any Commiſſioners appointed by Commiſſion under the great Seal of *England*, by Virtue of a Statute made in the Twenty Eight Year of the Reign of King *Henry* the eight, are Impowered to do and execute within the Kingdom of *England*. And that the ſaid Offenders which are or ſhall be apprehended in or brought Priſoners to this Province, ſhall be lyable to ſuch Order, Proceſs, Judgment and Execution, by Virtue of ſuch Commiſſion to be grounded upon this Act, as might be awarded or given againſt them, if they were proceeded againſt within the Realm of *England*, by Virtue of any Commiſſion grounded upon the ſaid Statute.

Be it further Enacted by the Authority aforeſaid, That all and every perſon or perſons that ſhall any way knowingly entertain, harbour, conceal, trade, or hold any correſpondence by Letters, or otherwiſe, with any perſon or perſons that ſhall be deemed or judged to be Privateers, Pyrates, or other Offenders within the Conſtruction of this Act, and ſhall not readily endeavour, to the beſt of his and their power, to apprehend, or cauſe to be apprehended ſuch Offender or Offenders, ſhall be lyable to be proſecuted againſt, as Acceſſaries

and

and Confederate, to ſuffer ſuch pains and penalties, as in in ſuch caſe by Law is provided.

And for the better and more effectual Execution of this Act, Be it further Enacted by the Authority aforeſaid, That all Commiſſion Officers, in their ſeveral Precincts within this Province, are hereby required and impowered, upon his or their Knowledge, or Notice given, That any Privateers, Pyrates, or other Perſons, ſuſpected to be upon any Unlawful Deſign, are in any place within their reſpective Precincts, to raiſe and levy ſuch Number of well Armed Men, as he or they ſhall think needfull, for the ſeizing, apprehending, and carryinig to Goal all and every ſuch perſon and perſons, and in caſe of any Reſiſtance, or Refuſal to yield Obedience to their Majeſties Authority, it ſhall be lawful to Kill or Deſtroy ſuch Perſon or Perſons. And all and every Perſon or Perſons that ſhall Oppoſe or Reſiſt, by Striking or Firing upon any of the Commanded Parties, ſhall be deemed, taken and adjudged Fellons, without Benefit of the Clergy. And every ſuch Officer that ſhall omit or neglect his Duty herein, ſhall forfeit Fifty Pounds currant Money of this Province for every ſuch Offence, to be Recovered in any of their Majeſties Courts of Record within this Province, by Bill, Plaint or Information, wherein is no Effoyn, Wager of Law or Protection ſhall be allowed, one moiety thereof to be to their Majeſties, their Heirs and Succeſſors, for and toward the ſupport of the Government of this Province, and the contingent Charges thereof, and the other moiety to the Informer. And all and every Perſon and Perſons that upon Orders given him or them, ſhall refuſe to repair immediately, with his or their Arms well fixed, and Amunition, to ſuth place or places as ſhall be appointed by any ſuper Officer or Officers, and not readily Obey his or their Commands, in the Execution of the Premiſes, ſhall be lyable to ſuch Fine or Corporal Puniſhment as ſhall be awarded againſt them within the Courts to which the Recognizeance of the Fact doth belong.

FINIS.

FINIS.

An Act for Granting to their Majesties the Rate of One Penny per Pound upon all the Real and Personal Estates within this Province of *New-York*, &c. To be allowed unto his Excellency the Governour, for the Care of the Province, *November* the 12th, 1692.

THe Representatives convened in General Assembly, in all humble and dutiful Acknowledgement of their Majesties most Gracious Favour and Regard to the Subjects of this Province, by Commissionating and Appointing over them, a Person to be their Governour, who is endued with most excellent Qualities, and hath given most signal Demonstration of his constant Loyalty and Fidelity unto their Majesties, by his prudent care and conduct, since his arrival into this their Majesties Province, and who by his unwearied vigilence hath visited the Frontiers of the same, and hath put them into such posture as that all the Subjects are in safety, tho' inviron'd with a powerfull Enemy; In the deepest Sence thereof become humble Suppliants unto their most Excellent Majesties, and pray that they would be graciously pleased to accept, as a token of their most Loyal and Sincere Affection unto their Majesties, and their Government established here, One Penny for every Pound value of all the Real and Personal Estates of all and every the Free-holders and Inhabitants within this their Majesties Province and Dependancies; and do likewise humbly pray, that your most excellent Majesties would be pleased to give & allow the same unto *Benjamin Fletcher* Esq; Capt. General and Governour in chief in and over their Majesties Province of *New-York*, and Territories thereon depending, in *America*, and pray that it be so enacted,

Be it therefore enacted by the Governour and Council, and Representatives convened in General Assembly, and by the Authority of the same, That there be Assessed, Levyed and Collected One Penny for every Pounds value of all the Real and Personal Estates of all and every the Free-holders and Inhabitants within this Province and Dependencies, to be assessed, levyed, collected and paid in manner and form following, that is to say, The one half or moyety of the aforesaid Assessments of One Penny for every Pounds value of all the Real and Personal Estates, as aforesaid, to be assessed, levyed, collected and paid unto their Majesties Receiver General at *New-York*, at or before the first day of *September* next, which shall be in the Year of our Lord One Thousand Six Hundred Ninety and Three, and the other half or moyety of the said Assessment to be paid in like manner at or before the first day of *September* then next following, which shall be in the Year of our Lord One Thousand Six Hundred Ninety and Four.

And for the more due and orderly Collection of the Assessment aforesaid,

Be it further enacted by the Authority aforeſaid, That the Mayor and Aldermen within the City of *New-York* for the time being, and the Mayor and Aldermen within the City of *Albany* for the time being, and the Juſtices of the Peace for the time being, for the ſeveral and reſpective Counties within this Province, for the ſeveral Counties reſpectively, for the which they ſhall be Juſtices of the Peace, do within ſix Months after Publication hereof aſſemble and meet together in the Court Houſes, for the ſeveral reſpective Cities and Counties, or ſuch other place or places as they ſhall agree among themſelves, and ſhall there order, That the Aſſeſſors and Collectors for the ſeveral and reſpective Cities, Towns, Mannours, and Liberties, within their ſeveral Juriſdictions, for the aſſeſſing, collecting and receiving of the Publick Rates, for the defraying of the Publick and Neceſſary Charge of each reſpective City and County aforeſaid, be the Aſſeſſors and Collectors for the aſſeſſing, collecting and receiving the Rate of One Penny *per* Pound, as aforeſaid, as to the ſaid Mayors and Aldermen and Juſtices of the Peace ſhall ſeem meet and reaſonable.

And forasmuch as there are ſeveral Mannors and Juriſdictions within the reſpective Counties aforeſaid, who neglect, and do not elect annually, or once every year Aſſeſſors and Collectors, whereby the intent of this Act may be fruſtrated, Be it therefore Enacted by the Authority aforeſaid, That if the reſpective Mannours and Juriſdictions within the ſeveral Counties aforeſaid, ſhall refuſe or neglect to elect Aſſeſſors and Collectors, for the aſſeſſing their reſpective Mannours and Juriſdictions, and for the Collecting the ſame, according to the intent and direction of this Act; Then and in ſuch caſe the Juſtices of the Peace of the County where ſuch Mannours or Juriſdictions are, Are hereby impowered and authorized to nominate and appoint Aſſeſſors and Collectors, for ſuch Mannors and Juriſdictions as ſhall neglect and refuſe as aforeſaid; which Aſſeſſors and Collectors ſhall, to all intents and purpoſes, obſerve the directions of this Act, any thing contained herein to the contrary hereof in any wiſe notwithſtanding.

And be it further enacted by the Authority aforeſaid, That the ſaid Mayors, Aldermen and Juſtices of the Peace, for the reſpective Cities and Counties, Mannors and Juriſdictions, have and ſhall have Power and Authority by Virtue of this Act, each of them by himſelf, to adminiſter an Oath to the ſaid Aſſeſſors, *Well, Truly, Equally and Impartially, in due Proportion, as it ſhall appear to them, according to their beſt Underſtanding, to aſſeſs and rate the Inhabitants, Reſidents and Free-holders of the reſpective places, for which they ſhall be choſen Aſſeſſors.*

And be it further Enacted by the Authority aforeſaid, That if any Perſon or Perſons, who ſhall be choſen Aſſeſſors and Collectors, ſhall deny, neglect, or unequally or partially aſſeſs or refuſe to make ſuch Aſſeſſment, as by this Act is required, or ſhall deny, neglect or refuſe to collect any Sum or Sums of Money, in form afore-mentioned aſſeſt, that then and in ſuch caſe, it ſhall and may be lawful for any two Juſtices of the Peace of the Cities and Counties

Counties where such Offenders shall happen to dwell or reside, & who by virtue of this Act, are required and impowered to do the same by Warrant under their Hands and Seals, to commit such Assessor or Assessors, Collector or Collectors so denying, neglecting or unequally and partially assessing, or refusing to collect, as aforesaid, to the common Goal, there to remain without Bayl or Mainprize till he or they make Fine and Ransom to their Majesties, as aforesaid.

And be it further enacted by the Authority aforesaid, That if any Person or Persons, of what degree or Quality soever he or they be, within this Province, who shall be assessed or rated any sum or sums of Money by virtue of this Act to be raised and levyed, shall deny, refuse or delay to pay, and ratify the same, that then it shall and may be lawful for any such Collector, by Virtue of a Warrant under the Hand and Seal of any Justice of the Peace for the City or County where such Offender shall dwell or reside, who by Virtue of this Act are Required and Authorized to grant and issue forth such Warrant, to levy the same by Distress and Sale of such Person or Persons Goods and Chattles, returning the Over-plus, if any be, to the Owners, the Sum assessed, and Charges of Distress and Sale being first deducted.

And also, be it further Enacted by the Authority aforesaid, That if any Mayor, Alderman or Justice of the Peace within this Province, who are hereby Required, Impowered and Authorized to take effectual care that this Act, and every Article and Clause therein be duely executed, according to the true intent and meaning thereof, shall deny, neglect, refuse or delay to do, perform, fullfill and execute all and every or any the Duties, Powers and Authorities, by this Act required and impowered, by him or them to be done, performed, fullfilled or executed, and shall thereof be convicted before his Excellency, the Governour and Captain General, and Council, or before any of their Majesties Courts of Record within this Province, he or they shall suffer such pain, by Fine and Imprisonment, as by the direction of the said Governor and Captain General, and Council, and the Justices of the said Courts, shall be adjudged.

And be it further enacted by the Authority aforesaid, That if any Action, Bill, Plaint or Information shall be brought, moved or presented at any time hereafter against any Person or Persons, for any Matter, Clause or Thing, done or acted in pursuance or execution of this Act, such Person or Persons so Sued or prosecured in any Court whatsoever, shall and may plead the general Issue, *Not Guilty*, and give this Act, and the special Matter in Evidence; and if the Plantiff or Prosecutor shall be Non-suited, or forbear further Prosecution, or suffer Discontinuance or Virdict to pass against him, the Defendant and Defendants shall recover Tribble Costs, for which they shall have the like Remedy, as in case where Costs by the Law are given to Defendants.

Provided

Provided alwayes, That no Mayor, Alderman or Juſtice of the Peace ſhall be troubled, ſued or moleſted for any Omiſſion, Offence or Neglect by Virtne of this Act, but within the ſpace of one Year after ſuch Omiſſion, Offence or Neglect, and not any time hereafter, any thing contained herein to the contrary thereof in any wiſe notwithſtanding.

Always Provided, and be it further Enacted by the Authority aforeſaid, That the ſeveral Collectors of each reſpective City and County, as aforeſaid, ſhall have liberty to pay the ſeveral reſpective Sums aſſeſſed, as aforeſaid, at the Time and Days aforeſaid in Currant Money at *New-York*, or for want thereof, in good, ſufficient and merchantable Proviſions at the currant Market Price.

FINIS.

Anno Regni Gulielmi & Mariæ, REGIS & REGINÆ, Angliæ, Scotiæ, Franciæ & Hiberniæ, QUINTO.

The 10th of *April*, *Anno Domini* 1693.

An Act for raiſing ſix Thouſand Pound for the payment of three Hundred Volunteers, and their Officers, to be imployed in the Re-inforcement of the Frontiers of this Province at Albany, *from the firſt of* May *next, to the firſt of* May *then next following, in the Year of our Lord* 1694.

WHereas upon the firſt day of *May* next, the time doth expire, wherein the Forces lately raiſed for the defence of the Frontiers at *Albany*, were to abide, which continuing ſtill daily expoſed to the Attempts of the *French*, their Majeſties declared Enemies, it is of abſolute neceſſity that they ſhould from the ſaid time be well Re-inforced, not only for the Preſervation of this Province, but alſo for the Security and Defence of all their Majeſties Subjects in the adjacent Colonies. And to the end that the ſaid purpoſes may be well and truly effected, the Repreſentatives convened in General Aſſembly, do pray, that his Excellency would levy or cauſe to be levyed in this and the adjacent Collonies three hundred effectual Men, Volunteers, to be formed in four Companies of Souldiers, and imployed in their Majeſties ſervice, for the ſecurity and defence of the Frontiers of this Province at *Albany*, and there to continue during the time hereafter mentioned and expreſſed. That is to ſay, That his Excellency doth forth-with, upon publication hereof, raiſe, or cauſe to be raiſed, as aforeſaid, two hundred effectual men Volunteers, which are to be formed into four Companies of Souldiers, as aforeſaid, and imployed at *Albany*, for their Majeſties Service, as aforeſaid, and there to continue in the ſaid Service from the firſt day of *May* next, until the firſt day of *May* then next following,

lowing, that ſhall be in the Year of our Lord One Thouſand Six Hundred Ninety and Four. And alſo, That his Excellency ſhall likewiſe raiſe One Hundred effective Men Volunteers more, which ſhall likewiſe be added to the four Companies aforeſaid, in equal Proportion, and poſted at *Albany*, as aforeſaid, and there only to continue and remain from the firſt day of *November* next enſuing, until the fifteenth day of *March* then following, and no longer.

And that his Excellency may be the better enabled to make ſuch Levys as aforeſaid, the Repreſentatives convened in general Aſſembly, do pray that it may be Enacted, And be it therefore Enacted by the Governour and Council, and Repreſentatives convened in general Aſſembly, and by the Authority of the ſame, That a Levy of Six Thouſand Pounds currant Money of this Province be laid, aſſeſſed, raiſed and levyed upon all and every of the Inhabitants, Reſidents and Free-holders of and in this Province, *&c.* for the paying and maintaining of the ſaid three hundred Volunteers, and their Officers, together with the incidental Charges that ſhall ariſe thereon, according to the Eſtabliſhment hereunto annexed, and not otherwiſe, and for no other uſe, intent or purpoſe whatſoever.

To be laid, aſſeſſed, raiſed and levyed in each reſpective City and County, throughout the Province, according to the Rates, Quota's and Proportions hereafter following; that is to ſay,

For the City and County of *New-York*, One Thouſand Four Hundred and Fifty Pounds, being their Quota and Proportion of the Levy of Six Thouſand Pounds aforeſaid.

For the County of *Suffolk*, in the Iſland of *Naſſaw*, Twelve Hundred Pounds, being their Quota and Proportion, as aforeſaid.

For *Queens County*, in the Iſland of *Naſſaw*, One Thouſand Pounds, being their Quota and Proportion, as aforeſaid.

For *Kings County*, in the ſaid Iſland of *Naſſaw*, Nine Hundred Pounds, being their Quota and Proportion, as aforeſaid.

For the County of *Weſtchêſter* Five Hundred and Sixty Pounds, being their Quota and Proportion, as aforeſaid.

For the County of *Ulſter* and *Dutches County*, Six Hundred & Thirty Pounds, being their Quota and Proportion, as aforeſaid.

For the County of *Richmond*, Two Hundred and Thirty Pounds, being their Quota and Proportion, as aforeſaid.

And for the County of *Orange* Thirty Pounds, being their Quota and Proportion, as aforeſaid.

All which Quota's and Proportions, as aforeſaid, doth in the whole amount unto the Sum of Six Thouſand Pounds currant Money aforeſaid, which ſaid Sum of Six Thouſand Pound ſhall well and truely be paid by the reſpective Collectors of each reſpective City and County aforeſaid, unto their Majeſties Collector and Receiver General for the time being, at their Majeſties Cuſtom Houſe in the City of *New-York*, in two equal Payments, that is to ſay, Three Thouſand Pounds currant Money as aforeſaid, being the one moiety or equal half part of the ſaid

ſix

Thouſand Pounds, at or before the nine and twentieth day of *September* next, being the Feaſt Day of *St. Michael* the Arch-Angel. And the other three Thouſand Pounds currant Money aforeſaid, being the other moiety or equal half part of the Levy aforeſaid, at or before the twenty fifth day of *March* then next following, being the Feaſt day of the *Anunciation* of the bleſſed Virgin *Mary*, which ſhall be in the Year of our Lord One Thouſand Six Hundred Ninety and Four, under the pains and penalties herein after mentioned.

And that the ſaid Sum of Six Thouſand Pounds, according to the Quota's and Proportions aforeſaid, may be moſt truely and effectually aſſeſſed, raiſed, collected and paid unto their Majeſties Receiver General, in manner aforeſaid and for the intent and purpoſes aforeſaid, *Be it further Enacted*, and it is hereby further Enacted by the Authority aforeſaid, That the Mayor and Aldermen within this City of *New-York*, for the time being, and the Juſtices of the Peace for the time being, for the ſeveral and reſpective Counties aforeſaid, for the ſeveral Counties reſpectively, for the which they ſhall be Juſtices of the Peace, do within forty days after Publication hereof, aſſemble and meet together in the Court Houſes, for the ſeveral reſpective Cities and Counties, or ſuch other place or places as they ſhall agree upon amongſt themſelves, and ſhall there order that Aſſeſſors and Collectors for the ſeveral and reſpective Cities, Towns, Mannors, and Liberties within their ſeveral Juriſdictions, for the aſſeſſing, collecting and receiving of the publick Rates, for the defraying the publick and neceſſary Charges of each reſpective City and County aforeſaid, be the Aſſeſſors and Collectors for the aſſeſſing, collecting and receiving the ſum or ſums of Money herein before-mentioned, according to the proportions before expreſſed, as to the ſaid Mayor and Alder-men and Juſtices ſhall ſeem meet and reaſonable.

And foraſmuch as there are ſeveral Mannors and Juriſdictions within the reſpective Counties aforeſaid, who neglect, and do not elect annually or once every Year Aſſeſſors and Collectors, whereby the intent of this Act may be fruſtrated, Be it therefore Enacted by the Authority aforeſaid, That if the reſpective Mannors and Juriſdictions within the ſeveral Counties aforeſaid, ſhall refuſe or neglect to elect Aſſeſſors & Collectors for the aſſeſſing of their reſpective Mannors and Juriſdictions, and for the collecting the ſame, according to the intent and direction of this Act, then and in ſuch caſe the Juſtices of the Peace of the Counties where ſuch Mannors or Juriſdictions are, are hereby impowered and authorized to nominate and appoint Aſſeſſors and Collectors for ſuch Mannors and Juriſdictions as ſhall neglect or refuſe as aforeſaid; which Aſſeſſors and Collectors ſhall to all intents and purpoſes obſerve the directions of this Act, any thing contained herein to the contrary hereof in any wiſe notwithſtanding.

And

And be it further Enacted by the Authority aforeſaid, That the ſaid Mayor, Aldermen and Juſtices of the Peace for the reſpective Cities and Counties, Mannors and Juriſdictions have and ſhall have Power and Authority by virtue of this Act, each of them by himſelf to adminiſter an Oath to the ſaid Aſſeſſors, *Well, Truly, Equally and Impartially, and in due Proportion, as it ſhall appear to them, according to their beſt Underſtanding, to aſſeſs and rate the Inhabitants, Reſidents & Free-holders of the reſpective places for which they ſhall be choſen Aſſeſſors.*

And be it Enacted by the Authority aforeſaid, That if any perſon or perſons who ſhall be choſen Aſſeſſors or Collectors, ſhall deny, neglect, or unequally, or partially aſſeſs, or refuſe to make ſuch Aſſeſſment, as by this Act is required, or ſhall deny, neglect or refuſe, to collect any Sum or Sums of Money, in form afore-mentioned aſſeſt, that then and in ſuch caſe, it ſhall and may be lawful for any two Juſtices of the Peace of the Cities and Counties where ſuch Offenders ſhall happen to dwell or reſide, & who by virtue of this Act, are required and impowered to do the ſame by Warrant under their Hands and Seals, to commit ſuch Aſſeſſor or Aſſeſſors, Collector or Collectors ſo denying, neglecting or unequally and partially aſſeſſing, or refuſing to collect, as aforeſaid, to the common Goal, there to remain without Bayl or Mainprize till he or they make Fine and Ranſom to their Majeſties, for ſuch Contempt, as aforeſaid.

And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons, of what Degree or Quality ſoever he or they be, within this Province, who ſhall be aſſeſſed or rated any ſum or ſums of Money by virtue of this Act to be raiſed and levyed, ſhall deny, refuſe or delay to pay and ſatify the ſame, that then it ſhall and may be lawful for any ſuch Collector, by Virtue of a Warrant under the Hand and Seal of any Juſtice of the Peace for the City or County where ſuch Offender ſhall dwell or reſide, who by Virtue of this Act are Required and Authorized to grant and iſſue forth ſuch Warrant, to levy the ſame by Diſtreſs and Sale of ſuch Perſon or Perſons Goods and Chattles, returning the Over-plus, if any be, to the Owners, the Sum aſſeſſed, and Charges of Diſtreſs and Sale being firſt deducted. And that where any of the Goods and Chattels ſhall be diſtrained for any of the Aſſeſments and Rates aforeſaid, and the Owner of the ſaid Goods ſhall not within five days next after ſuch Diſtreſs taken, and notice thereof, with the cauſe of ſuch taking left at the Houſe, or other moſt known place where the diſtreſs was made, come and pay to the Collector and Receiver of the Aſſeſſment aforeſaid, that then after ſuch Diſtreſs, and notice as aforeſaid, and expiration of the ſaid five days, the Collector, or perſon diſtraining ſhall and may cauſe the Goods and Chattels ſo diſtrained, to be appraiſed by two ſworn Appraiſers, to appraiſe the ſame truely, according to the beſt of their Underſtandings, and after ſuch appraiſement ſhall and may lawfully carry and drive the ſaid Goods and Chattels ſo

diſtrained,

diſtrained, into any County or Town throughout the Province, and the ſaid Goods and Chattels ſhall and may there lawfully ſell for the beſt Price can be gotten for the ſame, toward ſatisfaction of the Rates aforeſaid, and of the Charges of ſuch Diſtreſs, Appraiſement and Sale, giving the Over-plus to the Owners.

And alſo, be it further Enacted by the Authority aforeſaid, That if any Mayor, Alderman or Juſtice of the Peace within this Province, who are hereby Required, Impowered and Authorized to take effectual care that this Act, and every Article and Clauſe therein be duely executed, according to the true intent and meaning thereof, ſhall deny, neglect, refuſe or delay to do, perform, fullfill and execute all and every or any the Duties, Powers and Authorities, by this Act required and impowered, by him or them to be done, performed, fullfilled and executed, and ſhall thereof be convicted before the Governour and Council, or before any of their Majeſties Courts of Record within this Province, he or they ſhall ſuffer ſuch pain, by Fine and Impriſonment, as by the diſcretion of the ſaid Governor and Council, and the Juſtices of the ſaid Courts, ſhall be adjudged.

And be it further enacted by the Authority aforeſaid, That if any Action, Bill, Plaint or Information ſhall be brought, moved or proſecuted at any time hereafter againſt any Perſon or Perſons, for any Matter, Clauſe or Thing, done or acted in purſuance or execution of this Act, ſuch Perſon or Perſons ſo ſued or proſecuted in any Court whatſoever, ſhall and may plead the general Iſſue, *Not Guilty*, and give this Act, and the ſpecial Matter in Evidence; and if the Plantiff or Proſecutor ſhall be Non-ſuited, or forbear further Proſecution, or ſuffer Diſcontinuance or Verdict to paſs againſt him, the Defendant or Defendants ſhall recover Treble Coſts, for which they ſhall have the like Remedy, as in caſe where Coſts by the Law are given to Defendants.

Provided always, That no Major, Alder-man or Juſtice of the Peace ſhall be troubled, ſued, proſecuted or moleſted for any Omiſſion, Offence or Neglect by virtue of this Act, but within the ſpace of one year after ſuch Omiſſion, Offence or Neglect, and not at any Time hereafter, any thing contained herein to the contrary hereof in any wiſe notwithſtanding.

Alwayes provided, and be it further Enacted by the Authority aforeſaid, That the ſeveral Collectors of each reſpective City and County, as aforeſaid, ſhall have liberty to pay the ſeveral and reſpective Sums aſſeſſed, as aforeſaid, at the day aforeſaid, in currant Money at *New-York*, or for want thereof in good ſufficient and merchantable Proviſions, at the Rates and Prices hereafter ſpecified and expreſſed, to wit, good merchantable Pork at the Rates of fifty Shillings *per* Barrel, the Barrel well repacked by the ſworn Packer at *New-York*, and the Barrell containing Thirty One Gallons and half, *Winchester* Meaſure, at leaſt. Beef at the Rate of Thirty Two Shillings and Six Pence *per* Barrel, well repackt by the

the ſworn Packer of *New-York*, aforeſaid, the Barrel to contain thirty one Gallons and a half, *Wincheſter*-Meaſure, at leaſt. Good merchantable Winter Wheat at four Shillings *per* Buſhel. Tryed Tallow at four pence half penny *per* Pound.

Provided always, and be it further Enacted by the Authority aforeſaid, That if it ſhould ſo happen that his Excellency, purſuant to the Limitations aforeſaid, could not effect to raiſe ſo many Volunteers in manner aforeſaid, but that for the intent aforeſaid his Excellency ſhould be conſtrained to make proportionable Detachments in the reſpective Cities and Counties within this Province, to compleat the Number of the Forces, as aforeſaid, then it is the true intent and meaning of this Act, that there ſhall only be allowed & paid unto ſuch perſon or perſons ſo detached as aforeſaid, for the ſervice aforeſaid, the ſum of Eight Pence *per Diem* for each Perſon ſo imployed as aforeſaid, and no more, any thing contained herein, or mentioned in the Eſtabliſhment hereunto annexed, in any wayes to the contrary hereof notwithſtanding.

An Eſtabliſhment for the paying of the Officers and Souldiers, together with the incidental Charges, which are to be raiſed for the Reinforcement of Albany, &c. *from the firſt day of* May, 1693. *until the firſt day of* May, 1694.

	l.	*s.*	*d.*
Four Captains at 8 *s. per Diem*	01	12	00
Four Lieutenants at 4 *s. per Diem*	00	16	00
Four Lieutenants at 3 *s. per Diem*	00	12	00
One Chyrurgion at 2 *s.* 6 *d. per Diem*	00	02	06
One Commiſſiary for the Stores *per diem*	00	02	06
One Commiſſiary for Muſter *per Diem*	00	02	06
Twelve Sergeants at 1 *s.* 6 *d. per diem*	00	18	00
Twelve Corporals at 1 *s. per diem*	00	12	00
Four Drums at 1 *s per diem*	00	04	00
Four Clerks at 1 *s. per diem*	00	04	00
Four Montroſſes at 1 *s. per diem*	00	04	00
164 private Centinels at 1 *s. per diem*	08	04	00
	13	13	06

	l.	*s.*	*d.*
For 365 days 13 *l.* 13 *s.* 06 *d.* is	4991	07	06
100 private Centinels for 135 days at 12 *d.*	675	00	00
One Town Major for 365 dayes at 4 *s.*	073	00	00
Incidental Charges	260	12	06
The Totall	6000	00	00

Printed and Sold by William Bradford, *Printer to King* William *and Queen* Mary, *at the City of* New-York, 1693.

A Catalogue of Fees

Eſtabliſhed by the

Governour and Council

At the Humble *Requeſt* of the

ASSEMBLY

For the Governour.

	L.	*S.*	*D.*
For the great Seal to every Patent for and under 100 Acres,	00	12	00
For 1000 Acres and upwards of Arable Land, for every 100 Acres.	00	10	00
For every Licenſe of Marriage	00	10	00
For his Hand and Seal to Letters of Adminiſtration,	00	10	00
For a Certificate of Denization,	00	10	00
For a Certificate of Naturalization,	00	10	00
For a Certificate That a Veſſel was built, or belongs to their Majeſties *Subjects*,	00	10	00
For every Certeficate under the Governours Hand and *Seal* to go beyond Sea,	00	10	00
For every Hue-and-Cry,	00	03	00
For a Liſence to purchaſe Land of the *Indians*,	01	00	00
For a Bill of Health,	00	12	00
For the great Seal to a Confirmation for renewing a Patent,	00	12	00

The Secretary's FEES.

	L.	S.	D.
For a Patent for a House, Lot or Confirmation of Land formerly possessed,	00	12	00
For a Patent for New Land, for and under 100 Acres,	00	12	00
And above 100 Acres, 2 *s.* per hundred Acres more,		2	
For a Patent for a New Township,	05	00	00
For a Confirmation of a Township,	02	10	00
For a Warrant to Survey Land,	00	05	00
For Recording a Will, Inventary, *&c.* under 24 Lines,	00	03	00
For every Sheet more,	00	00	09
For every Letter of Administration of 100 *l.* or under,	00	06	00
For the Certificate of a Probate of a Will,	00	04	00
For a Certificate of Letters of Naturalization or Denization,	00	06	00
For a Pass to *Europe*, of a Ship of 30 Tuns,	00	06	00
And upwards to 100 Tun,	00	10	00
And above 100 Tun,	00	15	00
For the same to the *West-Indies*, to pay for the proportion	00	03	00
	00	06	00
	00	09	00
For a Certificate that a Vessel was built here, and belonging to their Majesties Subjects,	00	06	00
For every Petition to the Governour and Council, and Order thereon,	00	06	00
For a Licence of Marriage,	00	12	00
For a Certificate of any matter under the Governour's Hand and Seal,	00	06	00
For a Hue-and-Cry,	00	03	00
For a Licence to purchase Land of the *Indians*,	00	06	00
For a Bill of Health,	00	06	00
For all Bonds,	00	03	00
For Copying every thing Recorded in the Secretary's Office, first Sheet containing 24 Lines, eight Words to a Line,	00	03	00
For every Sheet more,	00	00	06
For a Quietus of an Administration,	00	06	00
For every Commission, where there is a Sallary or Fees allowed,	00	06	00

Fees for the Court of 40 *s.* or under.

	l.	*s.*	*d.*
For the Summons,	00	00	09
For ſerving the Summons,	00	00	09
For the Judgment,	00	01	00
For the Summons for Evidence,	00	00	06
For ſerving the ſame,	00	00	06
For the Jury for the ſame,	00	06	00

Fees for the Juſtices in or out of Seſſions.

FOR

Every Warrant of Appearance,	0	1	6
The Juſtices Clerk for a Bond,	0	1	6
Taking Bayl in Court, or out,	0	2	3
Acknowledging a Deed of Sale,	0	2	3
A Liſence for ſelling Drink,	0	3	0
The Clerk, for a Bond for the ſame,	0	2	3

The Judges and Juſtices Fees for the Court of Common Pleas.

FOR

All Actions, from 40 Shillings to twenty Pound,	0	2	6
From twenty Pound and upward,	0	5	0
Every Judgment of Court,	0	1	6
Signing an Execution,	0	0	6
Signing a Bill of Coſt,	0	0	6
Admittance of a Guardian,	0	3	0
Proving of a Will,	0	3	0
A Certificate for the ſame to the Secretary's Office at *New-York*,	0	1	6
Acknowledging Satisfaction upon Record,	0	1	6

Fees for the Clark of the Seſſions and Common Pleas.

FOR

A Writ or Capias,	0	1	6
Filing a Declaration,	0	0	9
A Copy of a Declaration, if required, every Sheet containing 15 Lines, 8 Words to a Line,	0	0	6
Entring every Action,	0	0	9
Every Venire,	0	1	0

Every

	l.	s.	d.
FOR Every Subpæna,	0	0	9
Entring a Verdict,	0	0	9
Entring Judgment,	0	1	0
Execution,	0	1	6
Coppying of the Records, for each Sheet, containing 15 Lines, and eight Words to a Line,	0	0	6
Entry Rule or Order of Court,	0	0	9
Reading a Petition,	0	0	6
Answer thereon,	0	0	6
With-dawing an Action,	0	1	6
A Scire facias,	0	1	0
A Habeas Corpus,	0	1	6
Every Recognizance,	0	1	0
A Supersedeas,	0	1	6
Searching the Records within one Year,	0	0	6
Every Year backwards 3 *d.* more,	0	0	3
Entring a *Plea*,	0	0	9

The Sheriffs Fees for the Courts of Sessions and Common Pleas.

FOR Serving a Writ, taking into Custody, and Bail Bond, without any pretence for Riding in the County,	0	6	0
Returning a Writ,	0	1	0
A Venire,	0	3	0
Returning the same,	0	1	0
Serving an Execution under a hundred *Pound*,	0	5	0
Every Ten Pound more,	0	1	0
Serving a Writ of *Possession*,	0	12	0
Scire facias serving, and Return,	0	3	0
Every Person committed into the common Prison,	0	3	0

The Cryer or Marshals Fees for the Sessions and Common Pleas.

FOR Calling a Jury, each Cause,	0	1	0
Calling every Witness,	0		4½
Every Verdict,	0	0	9
Calling each Action,	0	1	0
			0
The Person that shall Ring the Bell or beat the Drum, each Action depending in Court,	0	0	9
Every Jury-man each Action,	0	1	0

The

Council and Attorneys Fees.

	£.	s.	d.
For Attorneys Fees,	0	6	0
For Pleading each Cauſe,	0	6	0

Fees for the Judges of the Supream Court.

FOR

TAking Bail on a *Capi Corpus*,	0	3	0
Allowance, and taking Bail on a Writ of Error,	0	6	0
Taking Bail on a *Habeas Corpus*,	0	6	0
A Superſedeas,	0	1	6
Acknowledging a Deed to be Inrolled,	0	6	0
Admitting of a Guardian,	0	6	0
Signing a Bill of Coſts,	0	1	0
A Diſcontinuance,	0	1	0
A Prohibition,	0	9	0
Liſencing a Perſon be an Attorney,	0	18	0
All Actions of Debt above 20 to 100 Pounds,	0	5	0
One Hundred Pounds and upwards,	0	10	0
All Actions of Aſſault and Battery, Falſe Impriſonment, Defamation, Actions of Treſpaſs, and all other Perſonal Actions,	0	10	0
Al Preſentments, Informations, and Indictments in Criminal Matters.	0	10	0
Actions of Ejectment,	0	10	0

Clarks Fees for the Supream Court.

FOR

FIling a Declaration,	0	1	6
Copy thereof, if required, each Sheet of 15 Lines, 8 Words to a Line,	0	0	6
Entring all manner of Pleas, *per* Sheet,	0	0	6
Entring a Verdict and Judgment,	0	2	0
All manner of Executions,	0	1	6
Copy of the Records, for each Sheet,	0	0	6
A Rule of Court,	0	1	0
Reading a Petition,	0	0	9
An Order upon it,	0	1	0
Copy of it,	0	1	0
Entring Satisfaction upon Record,	0	1	0
With-drawing an Action,	0	2	3
Every Deed Acknowledged,	0	2	6
All Recognizances,	0	3	0
A Prohibition,	0	3	0
Searching the Records,	0	1	0

The

The Sheriffs Fees for the Supream Court.

	l.	s.	d.
SErving a Writ or *Capias*, taking into Cuſtody, and Bail Bond, without any pretence for Riding in the County,	0	6	0
The Venire, Facias and Return,	0	3	6
Serving an Execution under a hundred Pound,	0	5	0
Every Ten Pound more,	0	1	0
Serving a Writ of Poſſeſſion,	0	12	0
Serving a *Scire facias*, and Return,	0	3	0

The Marſhal or Cryers Fees.

CAlling each Action,	0	0	9
Calling every Jury,	0	1	0
Swearing every Witneſs,	0	0	4½

Fees for the Mayors Court,

For fixing the City Seal,	0	3	0

The Clarks Fees for the Mayor's Court.

AN Arreſt, Attachment or Summons,	0	1	0
Recording a Declaration,	0	1	6
Copy thereof, if required,	0	1	6
Entring and Recording the Anſwer,	0	1	0
Copy thereof, if required,	0	1	0
Order of Court,	0	0	9
Copy thereof, if required,	0	0	9
Entring a Judgment,	0	2	0
Copy thereof, if reqnired,	0	1	0
Execution,	0	1	6
A Copy thereof, if required,	0	0	9
Reading and Entring a Petition,	0	1	0
A Copy thereof, if required,	0	0	9
A Warrant to ſummons a Jury, each Action,	0	1	0
With-drawing an Action,	0	1	0
Entring and Recording Bargains and Sales of Lands, Houſes, Wills, Adminiſtrations, and other Writings paſſed in Court, not above 2 Pages,	0	2	6
Every page more,	0	0	6

		L	s.	d
FOR	A Certificate,	0	1	6
	A *Scire Facias*,	0	1	6
	An *Habere Facias Poſſeſſionem*,	0	1	6
	Licenſes for Inn-keepers, Victuallers and Retailers,	0	2	6
	A Subpæna for Witneſſes, four, or under,	0	1	6
	If more, 3 *d.* for each Perſon ſubpæned,	0	0	3
	Entring an Allowance for a *Habeas Corpus*,	0	1	6
	A Copy of the Records, *per* Sheet,	0	0	6

The Sheriffs Fees for the Mayors Court.

FOR	Every Arreſt and Return,	0	2	3
	Summons and Return,	0	1	6
	Every Bail Bond,	0	1	0
	Every Perſon that ſhall be arreſted and committed to Priſon for want of Bail, or not bailable,	0	3	0
	Returning of a Jury in each Cauſe,	0	1	6
	Every Cauſe in Court,	0	1	0
	Every Execution that ſhall be ſerved, if under 100 *l.*	0	5	0
	Every 10 *l.* more,	0	1	0

The Marſhalls Fees.

FOR	Summoning a Jury in each Cauſe,	0	1	6
	Every Witneſs in Court,	0	0	3
	Calling every Action,	0	0	4½
	Every Priſoner committed to Goal,	0	1	0

Bell Ringer's Fees.

FOR	Every Priſoner commited,	0	1	0
	Every Action in Court,	0	0	4½

The Jurys Fees.

FOR	Every Cauſe in the City, for each Man on ſaid Jury,	0	0	9

Fees to be Received in the Custom-House

By their Majesties Collector and Receiver General of the Province of *New-York*.

	l.	s.	d.
ENntry of every Ship or other Vessel, burthen sixty Tuns or upwards, inwards or outwards,	0	12	0
Every Post Entry of the same,	0	06	0
Lisence to load or unload,	0	10	0
Every Bill of Sight,	0	10	0
Every Bill of Store,	0	04	0
FOR Every Permit or Warrant of Entry,	0	01	0
Every Post of the same,	0	00	6
Every Certificate of Goods Landed, where Bond is given abroad,	0	10	0
Every other Certificate,	0	05	0
The Jerkin and Clearing the same in or out, and comparing the Merchants Entry, and the Masters Invoice or Outvoice,	0	06	0
A Cocquet, Let-Pass or Transire,	0	06	0

Ships or other Vessels burthen'd under 60 Tuns, and more than 20. Trading into or out of this Province,

EVery Entry in or out,	0	6	0
Lisence to load or unload,	0	5	0
Every Post entry of the same,	0	3	0
A Bill of Store,	0	2	6
FOR A Permit or Warrant of Entry,	0	1	0
Every Post of the same,	0	0	6
Every Bond,	0	2	6
A Certificate,	0	3	0
Clearing and Jerking the same, &c. in or out,	0	4	0
A Let-Pass, Cocquet or Transire,	0	3	0

Sloops or Veſſels of 20 Tuns, or under, coming or going out of this Province.

		l.	s.	d.
FOR	For every Entry in or out,	0	3	0
	Liſence to load or unload,	0	1	6
	A Poſt Entry,	0	1	6
	A Bill of Store,	0	2	6
	A Bill of Sight,	0	2	6
	A Permit or Warrant of Entry,	0	1	0
	A *Poſt* of the ſame,	0	0	6
	A Bond,	0	2	6
	A Jerking and Clearing the ſame in or out, *&c.*	0	2	6
	Cocquet, Let-*Paſs*, and Tranſire,	0	3	0

Sloops, &c. Trading within this Province, towards the Sound, *Connecticut*, up *Hudſons River* and to *Eaſt-Jarſey*,

		l.	s.	d.
FOR	AN Entry in or out,	0	0	9
	Liſence to load or unload,	0	0	4½
	Paſs and Clearing,	0	0	9
	Permit or Warrant of Entry,	0	0	4½

Other Fees taken in the Cuſtom-Houſe.

For the Sight of every Certificate of Bond given, and entring the ſame in the Kings Books,	0	2	6
For Cancelling a *Bond*, filing a *Certificate*, and making it returned in the Kings Books,	0	2	6

Provided alwayes, That no other Fees ſhall be taken for or concerning the Naval Office, Tonnage, or the enumerated Commodities, or any other thing which relates to Shipping, upon any pretence whatſoever.

C Clark

Clark of the Assemblies Fees.

	l.	s.	d.
FOR Reading and entring every *Petition*,	0	3	0
Entring an Answer thereof,	0	3	0
Recording said Petition, if required,	0	6	0
The Clarks Attendance on the House, all Committees, and drawing up Resolves, *&c. per Diem*,	0	10	0
The perusal of any Act, or each Days Minutes,	0	1	6
A Copy of each dayes Minutes,	0	2	6
An Order of the House to the Sergeant at Arms, to bring any Person before the House,	0	6	0
Entring said Order, and Copy,	0	3	0

The Sergeant at Arms Fees.

FOR An Arrest in the Town,	0	10	0
In the Country for the first ten Miles going and coming,	0	10	0
Every Mile more,	0	0	6
Every day a Prisoner undischarged,	0	3	0
The Return of an Order,	0	2	0

The Door-keepers Fees.

FOR Every dayes Attendance,	0	4	0

The Coroners Fees.

FOR Viewing of a dead Body not slain by mis-adventure,	0	12	0

The Surveyors Fees.

FOR Surveying a piece of Land, if under 100 Acres,	1	6	0
If more, for every day he Surveys,	0	12	0
If he imployes any Person to assist him, *per Diem*,	0	3	0

		l.	s.	d.
	Every Lot of Ground in the Town, not exceeding Three Acres,	0	6	0
For	If more than three Acres, 2 *s.* *per* Acre,	0	2	0
	Travelling Charges, when he does not ſurvey, *per Diem*,	0	10	0

To the Attorney General for Fees.

	l.	s.	d.
IN Criminal Cauſes,	01	10	00
In Capital Cauſes,	03	00	00

City of New-York, *September* 20. 1693. *in the* 5*th Year of their Majeſties Reign.*

THE Houſe of Repreſentatives for Their Majeſties Province of *New-York*, do order, That this Catalogue of Fees be ſent up to the Governour and Council, praying his Excellency that He may eſtabliſh the ſame.

By Order of the Houſe of Repreſentatives,

James Graham, *Speaker.*

Printed and Sold by *William Bradford*, Printer to Their Majeſties, King *William* and Queen *Mary*, at the Bible in *New-York*, 1693.